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The mythology of democracy
Justification, deliberation and participation

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DEPARTMENT OF POLITICAL ECONOMY, KING'S COLLEGE LONDON

The Mythology of Democracy

Justification, Deliberation and Participation

Simon T. Kaye

A THESIS SUBMITTED FOR THE DEGREE OF PHD
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Thesis Summary

Contemporary democratic theory is marked by two politically distinctive but epistemologically similar radicalisms: Deliberative and Platonist. Deliberative democrats seek to enhance the legitimacy and value of democratic outcomes by ensuring deeper, more discursive participation so as to approximate rational consensus around the self-evident public interest or to inculcate the ideal of public reasoning among citizens. Platonist democrats, responding to widespread evidence of public ignorance and irrationality, argue that participation should be limited to those who can do so from a position of expertise.

What these radical positions have in common is an implied readiness to reject the fundamental democratic principle of minimal political equality for practically all citizens. In so doing, they risk subverting the desirable consequences of the institutional norms of today's democracies: stability, anti-experimentalism and assumed non-contestability. Democracy's main virtue – its tendency toward stability and resistance to revolution – is contingent upon the confidence that is placed in it by its citizens, which itself may be contingent upon the universal franchise.

This thesis argues that theories of democracy are best understood in terms of their underlying presuppositions as to the scope – and potential scope – of human knowledge. It offers a new justification of democracy, suggesting specific consequentialist grounds while critiquing instrumental and deontic approaches to the problem. The thesis then turns to a consideration of the evidence for widespread public ignorance, and argues that such evidence cannot form a sound basis for Platonist, epistocratic arguments against the universal franchise. Deliberative democracy is similarly problematic, founded upon either the unattainable ideal of political consensus, or the badly-understood concept of 'public reason'. Formal, demotic deliberation is intrinsically threatening to the democratic principle of political anonymity, and therefore, due to a host of well-documented social-psychological effects, to the universal franchise as well.

Man is a deeply illogical being, and must be ruled illogically. Whatever that frigid prig Bentham may say, there are innumerable motives that have nothing to do with utility. In good utilitarian logic a man does not sell all his goods to go crusading, nor does he build cathedrals; still less does he write verse. There are countless pieties without a name that find their focus in a crown. It is as well, I grant you, that the family should have worn it beyond the memory of man; for your recent creations do not answer – they are nothing in comparison of your priest-king, whose merit is irrelevant, whose place cannot be disputed, nor made the subject of a recurring vote.

Patrick O'Brian, *The Fortune of War*

Introduction: Democracy and the Interpretation of Disagreement

All the great evils which men cause to each other because of certain intentions, desires, opinions, or religious principles ... originate in ignorance, which is absence of wisdom. ... [V]arious classes of men, each man in proportion to his ignorance, bring great evils upon themselves and upon other individual members of the species. If men possessed wisdom, which stands in the same relation to the form of man as the sight to the eye, they would not cause any injury to themselves or to others: for the knowledge of truth removes hatred and quarrels, and prevents mutual injuries.

Maimonides¹

The quotation offered above, a rumination on the nature of evil from the medieval Jewish theologian and philosopher Moses Maimonides, may seem an unusual choice for the beginning of a project that deals with the theory of democracy. Maimonides speaks to the overarching possibility that ‘evil’ and ‘quarrels’ are created by ignorance, and that ignorance is itself a version of self-interested behaviour; that the solution to the former problem is to be found in addressing the latter, by grasping the fundamental truths and wisdoms that are available through the application of human reason. Sufficient knowledge, this quotation implies, will make the doing of evil an impossibility. After all, *good* human attributes are necessarily derived from general characteristics that are common to all humans (having been created in the image of the divine). By the same token, negative attributes are best understood as deviations from the template of human nature. Evil is individual, and goodness is collective and normal. Wisdom – or at least *knowledge that is good* – lies in recognising and atoning for the evils that arose when humans chose to deviate from their natural template (Maimonides, Part 3, Chapter VIII). As John Locke argued, the ‘natural law’ may not be innate to human beings, but is self-evidently true when observed as part of the exercise of human reason (Locke, 1689 [1975], pp. 100-102). If all individuals shared this knowledge, then disagreement on fundamental questions would become impossible.

¹ Maimonides, Moses, *The Guide for the Perplexed* (12th Century [1904]), Part 3, Chapter XI

These instances of religious thinking, built around the possibility of a *norm* of consensus, or of unanimous agreement around self-evident goods, bear a striking resemblance to the epistemological and moral presuppositions that inform many theories of democracy. Despite sustained challenges from a tradition of liberal political thought that insists that reasonable value pluralism is an inescapable aspect of human societies, many versions of deliberative democratic theory are built around the idea of the value of consensus (Dryzek, 1990; Cohen, 1989; Gutmann & Thompson, 1996). Just as importantly, the most widespread conception of democracy held by the general public appears to be built around a 'folk theory' that accepts, unproblematically, the idea of 'common sense'. This folk theory of democracy incorporates the view that controversies of social justice have self-evidently right answers, and that questions of politics and policy should be met with answers based upon simple and readily-understood axiomatic principles – and all this in the face of disagreement from other citizens who are themselves exactly as certain of their own correctness.

This type of democratic reasoning, which implies that a successful, reasonable democratic procedure will effectively rule out the possibility of legitimate disagreement, seems incommensurable with the paradigm that underlies Rawlsian, pluralistic, or agonistic conceptions of democracy: that the primary feature of democratic politics is in fact to be found in the range of diverse yet reasonable perspectives that are held by citizens. Democracy, from this perspective, represents a family of procedural arrangements for reaching decisions in the face of unavoidably pluralised public opinion (Rawls, 1993; DeWiel, 2000, p. 9; Mouffe, 2005, p. 83).

Very often, democratic theory that is informed by either perspective – on the one hand, that humans are basically similar and disagree on the basis of mistakes or accidents, and on the other, that humans are basically dissimilar, disagree as a matter of course, and yet must find some basis for legitimate collective action – recommends procedures and approaches which, tellingly, are able to serve both perspectives simultaneously. Liberal pluralists are likely to be as interested in the achievement of a strong majority favouring some proposal as their religiously-thinking counterparts will be in the achievement of an outcome that approximates outright consensus around the true public interest.

Here, however, we begin to encounter problems. The real value of democracy may not be based in either of the above possibilities, but in the fact that such possibilities seem to us to be plausible, making democratic norms themselves unarguable. Yet the tendency of consensus-seeking democrats and liberal pluralists will be toward making democratic

processes less inclusive and more exclusive as they seek more robust decision-making and more epistemically valuable participation.

This project is concerned with the unexpected benefits – and unintended consequences – of the mythology of democracy, and in particular the variety of mythic values and advantages with which it is commonly associated. It addresses the implausibility of the usual justifications of democracy, and the paradoxical importance that at least some of these justifications are nevertheless held by citizens as articles of democratic faith. It discusses the democratic radicalisms that are motivated by the worthy goal of epistemically improving democratic participation, and the risks that such radicalisms may themselves pose to the very institutions that they seek to strengthen. To begin this process, this introductory chapter will first discuss in a schematic way the prevailing concerns as to citizens' inadequacy as democratic participants, before turning to an initial consideration of the justification of democracy itself.

Ignorance and Selfishness

It is increasingly commonplace in political philosophy and democratic theory to bemoan most citizens' epistemic inadequacy for productive engagement in public life.² Usually, it is felt that they fall short in two key regards. First, they are considered to be *ignorant*, in so far as they lack knowledge of political, economic and societal facts, are disinterested in attaining such knowledge, and tend to assume that there are simple and obvious solutions to complex problems. Moreover, they are often *radically ignorant* – that is, individuals tend to be ignorant even of the extent of their own ignorance (Converse, 2006 [1964]; Friedman, 2007, pp. 11-13). Secondly, it is thought that citizens generally tend to disappoint republican-styled expectations that engagement in the public sphere ought to involve the adoption of a mode of *public* rather than *private* reasoning; in other words, they fail to be 'other-regarding' or 'selfless' to the extent that their democracies may operate in a desirable way. Most political institutions currently make no distinction between *selfish* and *selfless* votes or preferences, just as they do not recognise any difference between informed and uninformed participation. The epistemic critics of democracy ask: should this be the case?

² This thesis will address one broad category of such assertions in Chapter Three. It is also worth noting that deliberative democrats often take note of widespread public ignorance and propose deliberation as an information-pooling and educative solution (Fishkin, 2009).

This basic assertion – that citizens tend toward ignorance and, if not outright self-interest, then at least the failure to wholly justify their politics with reasons that their peers find acceptable – is supported by a great deal of evidence. The third chapter of this thesis will set out some of the empirical evidence that is thought to support the claim of commonplace political ignorance, but in short: individuals tend to be ignorant about social and political questions; worse, they tend to be ignorant as to the depths of their own ignorance. By the same token, the majority of individuals are often modelled by social scientists as self-interested actors. This set of assumptions is usually captured within the term *rationality*, and underpins the most dominant methodological assumption within contemporary political science, informed by an economistic conception of human behaviour that posits human beings as utility maximisers. This thesis does not directly contribute to this literature, but accepts the realism of many of the assumptions behind rational choice – accepting, for example, that a great deal of public ignorance is rationally motivated (in line with the economistic arguments put forward by Downs, 1957, and further developed by, for example, Hardin, 2006 and Arneson, 2009).

The combined effect of ignorance and self-interest could imply that individuals are not generally capable reason-givers; if so, this would constitute a significant challenge to advocates of ‘public reason’ (a concept that receives specific discussion in Chapter Four). Perhaps more importantly, there is the possibility that, even if citizens are capable of rendering publicly reasonable arguments, their public-spirited votes and preferences will necessarily remain indistinguishable from their privately-interested ones.

These epistemic claims cross ideological boundaries. Social democrats and socialists tend to be concerned about selfish citizens; classical liberals and conservatives, whose general politics is normally founded on the rationalistic assumptions regarding human behaviour that are loosely described above, emphasise the tendency towards the ignorance and irrationality, wilful or otherwise, of most citizens. Indeed, many theorists, explicitly or implicitly, combine these epistemic concerns. Is ignorance not a form of selfishness in democratic terms? Isn’t the failure to reason publicly a by-product of a lack of understanding about the real public good – the result, fundamentally, of ignorance?

This thesis will closely consider these branches of criticism – and their overlaps – in order to argue that there is no totally persuasive version of the argument that these epistemic limitations are good reason for the exclusion of some – or most – individuals from democratic participation. It argues in favour of at least a minimal political equality as a means of securing the desirable effects of public confidence in democracy. Democracies, it

seems, are capable of producing positive outcomes even from the participation of plausibly self-interested citizens, and the ignorance of voters may be less important than we at first suppose if we adopt a reasonable conception of the real institutional utility of voting.

The tendency for theory to engage with questions about the intentions and epistemic qualifications of a polity's citizens is an ancient one. Our presumptions about the human capacity for both selfish and public-spirited motivations find early expression in Plato's *Phaedrus*, with the metaphor of the chariot pulled by two unwieldy horses: one noble, the other selfish. Then, as is so often the case now, it is human *reason* – symbolised by the charioteer – that is expected to marshal these two often conflicting centres of motivation, and so drive the chariot forward (*Phaedrus*, 246a-b). Plato's own response to the possibility of democracy was accordingly sceptical: only the very virtuous could be expected to harness both private and public selves under a mantle of reason, and so the enterprise of democracy, like a ship that is commanded and navigated by its oarsmen rather than its captain and navigators, is likely to run into trouble (*Republic*, Book 6, 488e–489d). The Platonic tendency to question some of the central tenets of democratic norms on epistemic grounds is alive and well in the contemporary literature on democracy, as we shall see.

This thesis does not reject such epistemic arguments – indeed, at several points it suggests grounds by which to critically question not only the reach of human reason, but the common assumption of a clear distinction between these 'positive' and 'negative' passions. If we cannot reliably distinguish between private and public reasons, then we will need some other basis for the justification of democracy.

The Desirability of Democracy

Such justificatory questions are capable of eliciting a great range of contradictory responses. On one side, the value and importance of democracy is considered by the public to be obvious, so that taking the time to defend it appears pointless. According to such a view, democracy represents a route to guarantee certain absolute values, or even constitutes such a value in itself. It is a living ideal, ripe for export to places where it is not yet sufficiently respected or used. Yet for others the project of democracy may be well-meaning, but also foolhardy: founded upon a set of overly-optimistic assumptions about

human behaviour, motivating governments to populism, and licensing states to grow to unwieldy and intrusive size.

This thesis is preoccupied with a significant debate among the many disagreements within democratic theory. It starts with the simple possibility that a citizen's perception of their best interests may not align perfectly with the *reality* of those interests. As George Lakoff writes, citizens will often "vote against their obvious self-interest; they allow bias, prejudice, and emotion to guide their decisions; they argue madly about values, priorities, and goals. Or they quietly reach conclusions independent of their interests without consciously knowing why" (Lakoff, 2009, p. 8). Given all this, can there be any meaningful justification of democracy? If a citizen does not vote in line with their own objective best interests – and not even in accordance with the best interests of the wider public, should these fail to coincide – then what value can we hope to assign to their vote, and what value to the process of voting itself?

This problem can be taken further. We are, after all, presupposing that the citizen is voting in line with *some notion*, though possibly misguided, of their best interests (and not on some other basis altogether), and indeed that there is an epistemically retrievable, objective measure of what constitutes their best interests with which to compare their perception. We are also assuming that it is *possible* to vote in line with our interests, that one or another of the possible candidates or alternative options to be voted for at least somewhat approximates the interests of our citizen, and can be perceived as such by them. But none of these things is *necessarily* true – our citizen may operate with no preconceived idea of their own interests, or may be utterly mistaken about them, or the citizen's 'real' interests may not exist at all; in any case, the candidates and options available to our citizen may well diverge from these perceived interests, or incorporate elements of policy and ideology that seem at once good and bad to them – and so the desirability of voting, if not democracy itself, must be in doubt.

Several academic literatures have developed which contribute to or attempt to address the kinds of concerns briefly indicated above. A raft of theories produced by social choice theorists in the mid-to-late 20th Century generated a considerable body of work on the plausible instability or arbitrariness of *aggregative* democracy – that is, democracy whose primary mechanism is the counting of votes (Arrow, 1951 [1963]; Riker, 1982). Updating the insights of the Marquis de Condorcet, Kenneth Arrow and his contemporaries argued that aggregative democracies were always plausibly arbitrary, in that various 'fair' aggregation methods could produce different outcomes from an identical polling input.

Elsewhere, a 'deliberative turn' was taking shape within democratic theory, one that would later be argued to offer a solution to, among other things, the assertions of the social choice theorists (List, Luskin, Fishkin, & McLean, 2013; Dryzek, 2000; Miller, 1992). Perhaps an involvement in or improvement of the process of preference formation could help to avoid unstable outcomes and reduce the possibility of a disconnection between interests and votes.

What characterises both of these approaches – though originating from academic positions divided by theoretical assumptions, political preferences, and often geography as well – is their shared and particular concern for the nature of the preferences formed at the level of the general citizenry, and how these then feed into participation. Social Choice theorists present a critique of vote aggregation that centres on the difficulty of satisfying democratic principles once deeper preference arrangements – the kind not often collected by votes – are taken into account. I may vote for candidate B, but I might prefer candidate C to candidate A as well; and what if most people consider A to be their least-preferred candidate, but their varying preferences between B and C leave A as the winner? Can this really be a democratic result? None of this is likely to become problematic if only the 'top layer' of preferences enter our consideration. To reject the relevance of deeper preference orderings is also to reject most of the potential for arbitrariness in democracy. But to look to the more complete preference-arrangements of individual citizens – to question their implications, their reasonableness, or their rationality – instantly produces problems for democracy.

Similarly, deliberative democrats and public reason theorists construct arguments around the idea of maximising certain republican-styled values in an electorate through public discourse. Thus they place a greater emphasis on the *participants* of a democratic system: their capacities, their epistemic situation, and the ways in which they engage with each other and the institutions of governance. Once again it is not the "external act" of voting that is the focus of the analysis of democracy, but the "more internal acts that precede and underlie it", as in Robert Goodin's *Reflective Democracy*:

For political outcomes to be democratic in a suitably strong sense, people's votes ought to reflect their *considered* and *settled* judgements, not top-of-the-head or knee-jerk reactions. ... They are supposed to ponder long and hard what they want and why ... [i]n the course of that, they are expected to reflect seriously upon what others want and why, and how those others' goals might articulate with their own.

Democratic citizens are supposed to act *responsively*, taking due account of the evidence and experience embodied in the beliefs of others (Goodin, 2003, p. 1).

This necessarily leads us to reflect upon a divide – the first of many – that exists between the scholarly theorisation of democracy, and its actual implementation in politics and institutions. Regardless of this academic preoccupation with voters and participants, modern liberal democracies continue to place fairly minimal epistemic, communicative and normative burdens on their citizens. In order to engage in the political process, the citizen of a liberal democracy must meet no pre-set standard of relevant knowledge, must demonstrate no particular capacity for other-regarding, public-spirited preference formation, and is not required to conform with other citizens beyond the requirements established by the rule of law. Citizens may vote, or they may choose not to,³ with little regard for expectations of these kinds. However, few democratic theorists are satisfied by this state of affairs, and many present theoretical alternatives to the current model of effectively burdenless enfranchisement.

Shouldn't citizens be knowledgeable about the things they are voting about? If citizens are to vote, should they not, as many theorists implore, at least *vote well* (an argument that is particularly well-developed in Brennan (2012))? Perhaps the emphasis on voting is itself the problem; could not the pursuit of deliberative procedures, as supplements to or replacements for vote-aggregation, lead to more desirable outcomes?

This thesis asserts that the addition of various epistemic burdens along these lines, as conditions for (or even, merely, as systematic expectations prior to) participation in democracy, constitutes a challenge to the principle of the universal franchise. Asking citizens not only to vote, but to try to vote *well*, in accordance with some set of pre-defined standards, will necessarily diminish the practical size of the electorate. This is not necessarily an intrinsically undesirable outcome. Different choice aggregation mechanisms could be argued to be far more robust in the face of the epistemic limitations of the general public, and capable of being responsive to narrow, private interests while also, in the aggregate, producing outcomes that are beneficial to society as a whole.⁴ Indeed it would

³ Although some liberal democracies legally require citizens to register to vote or even to travel to a polling station on election days – for example Australia, Brazil and Singapore – there are very few (such as Luxembourg and Cyprus) that insist that every such citizen votes, even if only as a result of the difficulty of confirming properly-filled-in ballot papers under the norm of anonymous polling.

⁴ This is an argument put forward by many classical liberal academics, perhaps most notably in Friedrich Hayek's *The Constitution of Liberty* (1960 [2006], pp. 90-102), and receives important

seem naive to endorse the universal franchise as being somehow *absolutely* valuable, or to totally discount alternative approaches to the aggregation of citizens' preferences. Yet there is a clear tension - mirroring the central debate within democratic theory since the time of Plato - between the desirability of high-quality voting, and the argument that all citizens should be entitled to equal political liberties. This thesis will address those theorists who, in various ways, render arguments that the assumption of this entitlement to political equality is less valuable than the possibility of a more thoughtful electorate - and can thus be read as a response to a single, overarching research question: in modern democracies, why *not* disenfranchise citizens that are ignorant, irrational, or self-regarding?

Of course, this central question provokes a complexity of sub-questions. Who is really arguing that such people should be disenfranchised, and how are their arguments justified? What value should we attach to the universal franchise, and why? Could democracies be improved by becoming more direct and participatory? Could more desirable outcomes be achieved by the improvement of citizens' epistemic capacities and the promotion of preferences that are based on an idea of the public good, rather than self-interest?

Some approaches to the justification of democracy are to do with the instrumental benefits of democratic procedure. For example, we may find grounds to value democratic systems on the simple basis that they are better able to incorporate a diverse range of perspectives into decision-making than other institutional arrangements are – an argument from *cognitive diversity* (Knight & Johnson, 2011; Landemore, 2012). John Dryzek lauds the potential for information-aggregation and sharing within the particular context of a deliberative democracy, which would “place little faith in invisible hands, seeking instead more cognition in interaction” (Dryzek, 1990, p. 69). Arguments along the lines that the diverse perspectives produced by “reasonable pluralism”, as Rawls (1993, p. 36) would put it, can be aggregated to the epistemic benefit of the entire polity are usually contingent upon such processes being self-conscious and intentional (rather than *spontaneously* ordered). Otherwise, the argument from cognitive diversity is not greatly different to, for example, a Hayekian endorsement of market orders (wherein markets are simply very good at accessing disparate, localised ‘bits’ of distributed information, via the actions of

recent development from Bryan Caplan (2008), Mark Pennington (2010) and Ilya Somin (2013), among others.

buyers and sellers in the market, and aggregating them through the “marvel” of the price system) (Hayek, 1945).

Not all arguments from cognitive diversity go so far as to argue that democratic processes can be ‘truth-tracking’, as David Estlund’s does (2008, pp. 100-102), perhaps primarily because of a general preference for relativism and an understanding of the basic subjectivity and contestability of truth-claims.⁵ An assertion of democratic truth-tracking certainly invokes questions relevant to a Rousseauian approach to politics: can a given democratic outcome *define* the ‘truth’, to all intents and purposes, for a given polity? In which case, is democracy *approximating* the truth, or is it *generating* it? How unanimous must a decision be for that decision to achieve the status of ‘truth’, and are we able to allow that a truth can therefore change, if and when public opinion itself shifts?⁶

This thesis argues that the universal franchise *is* valuable, and worth preserving in the face of the theoretical challenges that it will outline. These challenges come from several politically disparate quarters. It will argue that a great deal of academic literature dealing with the ideas (and desirability) of ‘public reason’ and ‘deliberative democracy’ are implicitly constructing arguments justifying the exclusion, limitation or ‘laundering’ of the preferences of the section of the citizenry whose conception of their interests does not coincide with a particular notion of the public good, and that the longstanding literature on the dangers of the ignorance of voting publics are often used as the basis for ethical arguments to exclude or dissuade the participation of those who do not fulfil one or another definition of “voting well”.

This project therefore includes both positive and negative arguments. Positively, it promotes a certain theory of, and approach to, democracy. It will argue that contemporary representative democracies that are built around a maximisation of the voting franchise permit the most desirable forms of mandate-driven governance. This is not to say that representative democracies based upon a maximised voting franchise never produce undesirable policies. They do, and often. They create new problems and fail to solve existing ones, infringing upon important individual rights or failing to act in response to serious issues. Nevertheless, this thesis puts forward the following central claims:

⁵ For a very well-argued sceptical response to Estlund’s epistemic claims, Gerald Gaus’s ‘On Seeking the Truth (Whatever That Is) through Democracy’ (2011) should be the first port of call.

⁶ These questions will be revisited in the second chapter’s discussion of Rousseau’s political thought and its implications for democracy.

- a.** Whatever their theoretical justification, increases in the epistemic burdens attached to the practice of voting (or otherwise participating) will result in some form of exclusion, and a narrowing of the franchise.
- b.** The improvement of 'input' that could be derived from such changes will not necessarily result in better or more desirable outcomes, either in terms of policy formation or democratic accountability.
- c.** A 'broad and shallow' model of participation - that is, one with a maximised population bearing political rights but a fairly minimal conception of what those political rights should entail - ensures desirable, widespread civic engagement on the part of citizens, a sense of the procedural fairness of their political system, a mandate-limitation on the ability for government or state to grow too large, and the protection of a private sphere, essential for the maintenance of various productive, non-statist social orders.

Or, to phrase these claims in simpler terms:

- a.** Requiring better participation involves having fewer participants.
- b.** Better participation probably does not mean more desirable outcomes overall.
- c.** Breadth of participation is more desirable than depth.

Claim *c.* is arguably the most controversial of these three, and so will be specifically explored in the next section.

The Mythology of Democracy

Theoretical justifications of democracy revolve around either a notion of the absolute values that it embodies (as in the cases of scholars such as Beetham (1991), Brighouse (1996), Cohen (2002), or Christiano (2003)) or promotes or a kind of instrumentalism where we are told that democracy ought to be valued in so far as it produces outcomes which reliably meet with some threshold of relative desirability, and can reasonably be said to do so more effectively than some alternative system of governance (see, for example: Riker (1982), Arneson (2004), or Landemore (2012)). This thesis comes much closer to the latter approach. However, it also criticises naïve instrumentalism. This project does not conclude that democracy is a reliable source of 'better' policies, or even of 'better' political representatives, than might be produced by alternative social orders.

Rather, I argue that the culture of democratic participation *itself* creates valuable social stability. Regardless of the evidence, which is at best indeterminate as to the instrumental value of democracy, it is normal to value and have confidence in democracy as a matter of course – a phenomenon which I refer to in later chapters as the *folk theory of democracy*. It is the *assumption* of the value of participation which may *be* the most significant value of participation, creating a non-revolutionary outlet for political frustrations which is quite robust to the impact of selfish or ignorant citizens.

This basis for the justification of democracy may be thought to generate a minor paradox: by most measures, citizens are wrong to value their democratic rights. Ignorant of this, they continue to do so - *thus generating a basis by which to value their democratic rights*.

Just as an atheist might find a reason to value organised religion – “There may be no God, but the people who believe in one often do nice things and form mutually supportive relationships as a result”, she might say – the sceptical democratic theorist can nevertheless find grounds to endorse universal suffrage. As the very beginning of this introduction suggested, democracy is really a kind of mythos, presenting a pantheon of unreliable or implausible benefits and demanding certain ritualised behaviours from its adherents.⁷ As long as citizens continue to endorse and maintain their faith in the mythos in sufficient numbers, then the value of democracy becomes self-fulfilling. And, like all religions, democracy is threatened not only by its sceptics, but by the efforts and ideas of its most zealous followers.

⁷ I am certainly not the first to render this comparison. Friedrich Nietzsche famously described democracy as an outgrowth of the ‘herd morality’ that had been, in part, carefully cultivated by Christian religiosity: “the democratic movement is Christianity’s heir” (Nietzsche, 1886 [1990]). Patrick Deneen’s *Democratic Faith* (2005) offers a book-length disquisition on democracy using a similar metaphorical framework, and also a more literal one: for Deneen, democracy is not only *like* a religion, it *is* a religion. Where ultimately Deneen rejects both outright faith in democracy and overblown cynicism in favour of a carefully-drawn ‘democratic realism’, the reader will find that my thesis comes to endorse our ‘faith in things unseen’ as the producer of substantial desirable side-effects. From the perspective of the mainstream of democratic theory, both this work and Deneen’s will doubtless seem deeply cynical; an outright sceptic of democracy, however, will presumably see my piece as the work of an apologist: the political equivalent of Pascal’s Wager. Carl Schmitt, whose political and constitutional theories have been the subject of renewed scholarship in recent years following an extended period of marginalisation due to his significant engagement with the Nazi regime, also offers an account of “political theology” that is very pertinent here. Schmitt pointed out the simple transposition of assumed political authority from a *divine* rule of law, based upon the moral precepts and commandments of an omnipotent rule-giver, to a temporal one (Schmitt C., 1922 [2005]). The essay *Political Theology* offers, among other things, an account of academic jurisprudence which relates the idea of authority – and legitimacy – to the root of a theological mindset. Bryan Caplan also makes the case that ongoing support for democracy in the face of various critiques is best understood as a kind of religiosity, or even outright fundamentalism (Caplan, 2008, p. 189).

This is a political theory which attempts to contrast many of our assumptions and intuitive ideas about politics with a generalised argument about the best way to 'do' democracy, and – as will have become clear from the above – the claims presented here will generally revolve around consequentialist, rather than deontic, arguments. Similarly to Knight and Johnson (2011), this thesis discusses how it seems sensible to doubt arguments in support of democracy that are founded upon absolute principles, or principles that are not explicitly justified in terms of consequential instrumentality. Plausible political theory should be robust in the face of moral (and other kinds) of relativism - that is, plausible and persuasive to those who do not necessarily share many of my own normative assumptions (even as it must be acknowledged that such assumptions are impossible to exclude from theory altogether), and certainly not dependent on the value of certain perceived moral goods, even if this perception is thought to be widespread. This leads me to agree with Knight and Johnson when they begin a democratic justification from the acknowledgement of "the plurality of feasible social institutions" (*ibid.*, p. 105). My question, like theirs, becomes clear: from among the range of feasible social institutions, why value democracy?

If, in other words, we discount the possibility that there can be any substantive epistemic or instrumental improvement in policy outcomes as a result of democratic procedures (rather than any other non-democratic procedures), and if we set aside the possibility of justifications of democracy that are founded upon pre-existing and non-consequential moral or ethical commitments to abstract fundamental principles such as freedom, justice or equality, are we left with any persuasive arguments in favour of democracy whatsoever? Can democracy, on balance, be justified without any assumptions about the moral norms that it fulfils or the epistemic benefits that it brings to policy?

My answer to these questions is 'yes', with a single proviso. The perception of democratic efficacy in these two regards - that democratic procedures either produce better outcomes or satisfy our moral expectations, or both - forms the bedrock of the most robust utility of democracy: its capacity to generate a public sphere and civil society in which most citizens have confidence. The democratic public life that is generated by popular *faith* in democratic institutions carries with it numerous self-evidently beneficial side-effects, not least several that may appear rather conservative in nature. Confidence in democracy reduces the likelihood of revolutionary or otherwise destructive forms of radical social upheaval, a source of unconsciously meta-agreed social stability that is the prerequisite for all manner of other desirable social outcomes.

In this analysis, then, democracy forms a kind of self-reinforcing mythology, riddled with apparent contradictions. It is considered to be absolutely morally fulfilling, even as we object to the idea of absolute moral truth; it is, in the Churchillian mode, identified as a 'least-bad' system of governance, even as we question the epistemic virtues of citizens, the motivations of representatives, and struggle to locate evidence that proves substantively improved policy under democratic norms. Democracy is imagined to be fragile, vulnerable, susceptible to usurpation and weak in the face of anti-democratic opposition - but it is exactly this imagined weakness that motivates the forces that make democracy robust.

We ought then to value democracy because the fact of our valuing it lends it authority and utility. Democracy is valuable *because* we, by and large, value it: a potentially paradoxical stance, certainly, yet also one that clearly captures a classic principle of democracy in its emphasis on the beliefs of its citizens.

As a form of instrumental justification, it is worth noting that this analysis would strike many theorists as some species of *non*-instrumental reasoning. It appears to coincide, for example, with Elizabeth Anderson's reading of Dewey, which hinges upon an epistemological account of certain non-instrumental values thought to arise from democratic practices (Anderson, 2006, p. 10). Here, democracy is valuable not because it gives the public influence over the institutions of government, and not because it improves citizens directly. Democracy is valuable because it gives citizens a reason to value their shared institutions and each other. It creates the basis for a sense of common cause, and a set of presumptions that can be embraced by individuals with wildly divergent political beliefs and private interests. We may extrapolate from this that, by embodying a culture of procedural fairness, democracy is able to undermine revolutionary ferment: it systematically discourages all opposition but the political, and makes political dissent itself seem "epistemically productive, not merely a matter for error" (*Ibid.*). And all the while, the 'failings' of 'mere' aggregative, representative democracy minimise the influence of individual citizens who are, according to social science, unlikely to be either publicly-reasoning or sufficiently expert as they go about formulating and expressing their preferences.

This project represents, in part, an effort to develop a justification of democracy that is not contingent on any optimistic epistemic assumptions about a democracy's constitutive participants. In this sense it is a rather 'Austrian' or 'Classical Liberal' effort. By taking as given the fact of knowledge problems (and attendant large-scale coordination problems) within social orders, and by generally casting doubt on a human capacity to accurately

predict their own social requirements or the consequences of the political actions they take in order to realise whatever improvements they do target, this thesis concerns itself with the possibility of a consequentialist account that does not require any of the ‘usual suspects’ of supposed democratic benefits – truth-tracking, epistemic improvement, citizen improvement, and so on.⁸

A Note on Epistemology and Methodology

This discussion signposts a number of important methodological decisions that underpin the following chapters. First, a key component of this project is an acceptance that many of the variables salient to social science and political theory are subject to fundamental uncertainty. This has ramifications not only for the epistemic value of democracy itself, but for any serious attempt to study or render normative arguments about democracy as well. The boundaries of human knowledge (and *potential* human knowledge) are almost impossible to draw, as they are themselves subject to the uncertainties that they circumscribe.

This project opts to leave such questions open, and to focus on the plausible communicability of presumed knowledge. In other words, individuals usually believe that they grasp a certain idea or can support a belief with an argument or evidence. What pertains most for democracy – and democratic theory – is the question of whether these understandings can be successfully communicated between individuals, or from individuals to institutions and back again.

Ignorance and uncertainty are significant factors in the shape of human interaction and their study. It is likely that non-ignorance and certainty, even when observed by a student of human behaviour and politics, will not be recognised as such. For example, the vast majority of democratic theory – and of social science in general – operates on the assumption of the existence of individual preferences that are, at any given time, both static and recoverable (Green & Shapiro, 1994, p. 14; Amadae, 2003).⁹ When Susie is

⁸ Justifications of democracy will be dealt with in a more sustained way in the first chapter of this thesis. For an example of an approach that takes as its starting point the paucity of most instrumental justifications of democracy due to human epistemic limitations which then goes on to endorse democracy as a stability-generating system, see various contributions by Jon Elster (1997; 1993).

⁹ It is worth noting that, while deliberative democrats believe in the plasticity of preferences in the face of reasons and compelling argumentation, most contributions to the most recent ‘empirical

ordering her dinner, the social scientist would often presume that she has formulated a certain constellation of preferences - the chicken is preferable to the lasagne, which she in turn prefers to the pizza, for example. The assumption is that Susie has certain motivations for this arrangement of preferences, and that she can both recognise her own preferences and, when necessary, find a way to successfully communicate them. Without assuming such reliable and relatively orderly sets of information, the prospect of modelling human behaviour so as to understand it better becomes hopeless.

Yet the abstractions that form a basis for such models are in doubt. It is likely that reality is significantly more complex, and more easily subject to change, than the social scientists and political theorists would prefer: even our perceptions of reality may be impossible to then codify into language and then transmit, because there is no particularly reliable way to verify the successfulness of our attempts at communication. Hence a great deal of social science is conducted in a language of plausibilities, rather than certainties, and the predictive value of such 'science' is assumed to be extremely limited. The very existence of social science - and the broadly 'analytical' approach to political theory that is its counterpart - is predicated upon a widespread epistemological realism, wherein we agree to set such considerations aside so as to make progress in our arguments and inquiries.

This work recognises the difficulty of arriving at certainties in the ways described above - and, indeed, rejects the notion of certainty in a way that may be reminiscent of dialecticism's rejection of the 'reification' - the attempt to render as wholly objective - of the abstract, the complex, or the essentially contestable (Lukacs, 1923 [1971]).¹⁰ Common ground may also be found here with the fundamental assumptions behind the 'Austrian School' of economics; this thesis' broad-based uncertainty principle is similar to that which underpins Hayek's arguments against the central planning of complex systems - which he uses to argue that necessary information may be too well-hidden, too widely-scattered, for efficient planning (Hayek, 1967).

One of the risks of fundamental assumptions of this sort - we could call them *a-priori theory* - is that one may unconsciously incorporate (or intentionally smuggle) controversial or at least contestable claims into a preliminary statement of the ontological fundamentals that underpin a certain work rather than actually expounding or defending such claims directly. For example, Hans-Hermann Hoppe's *Democracy: The God that Failed*

turn' in deliberative democracy must also necessarily depend upon a set of positivist presuppositions with regards to the *gatherability* of individual preference arrangements.

¹⁰ Of course, the risk of thorough-going dialecticism - that as an intellectual approach it is capable of producing wholly unfalsifiable theory - is one to be avoided (Leopold, 2008, p. 108).

explicitly incorporates, as a matter of first-order a-priori theory, the claims that “[e]very action is aimed at improving the actor’s subjective wellbeing”, “[i]nterpersonal conflict is possible only if and insofar as resources are scarce”, and “[d]emocracy ... is incompatible with private property”. For Hoppe, these are not essentially contestable claims, but a matter of “common sense”, and do not necessarily need to be subject to any standard of falsification (Hoppe, 2001, p. xv). This thesis, by contrast, will aim to establish (as far as possible) its theoretical priors whenever they exert significant influences on the claims and conclusions that it offers.

Some parts of this work will make use of extended case-studies in an attempt to analyse or demonstrate a certain phenomenon in microcosm rather than engage with larger, more unwieldy bodies of evidence or literature. For example, the practices of the Occupy movement will be considered in some detail because they appear to be exemplary of the processes – and possible costs – of deliberative democracy. Elsewhere, an extended, critical consideration of Gerry Mackie’s *Democracy Defended* (2003) is used to engage with a debate between ‘instability theorists’ and their opponents. Extrapolating wider conclusions from these narrower examinations is necessarily fraught with difficulties, and so this thesis will always supplement them with a more generalised discussion of the evidence that is to hand elsewhere.

This thesis also makes some use of qualitative and quantitative evidence, none of which was gathered for its own specific purposes. Rather, it offers fresh analyses and considerations of data that are gathered and presented by other researchers in other works – for example, the extended discussion of group behaviour and the possible effects of political anonymity-loss in Chapter Six depends upon a combination of classic studies and contemporary findings in the field of social psychology. In other parts of the thesis many of my claims – such as those regarding the extent of public ignorance – are founded upon survey data from a range of sources. This project has involved an attempt to assess the validity of such research, and the dependability of the methods employed by such studies, and sets out to explain the limitations of such evidence, or to exclude altogether such research as seems to me to be especially problematic. In some cases it will borrow the data, though usually very few of the conclusions, from a certain study, in order to render some original analysis. The intention, when this is the case, is to make explicit the particularities of the usage of others’ data, and justify its use in-context.

The engagement with social psychology that is both prescribed and put into practice by the final chapter of this thesis (and, in a smaller way, by various other parts of this project)

may constitute its most tangible contribution to the literature on deliberative democracy. Chapter Six explains the potential for collaborative academia between the fields of social psychology and democratic theory, as many theories of democracy make insubstantial claims that may be testable by social-psychological studies, while a great deal of psychological studies could benefit from being interpreted through the analytical lens of political theory. Without a sophisticated understanding of the effects of various democratic practices on human psychology, and the impact of psychological predispositions on the efficacy of democratic participation, democratic theory will remain at a significant analytical disadvantage.

Chapter Outline: Two Routes to Disenfranchisement

As an initial step, I will elucidate the broader theoretical context for my concerns, with a pair of chapters that attempt to set out the current state of the debates taking place in academic democratic theory.

Chapter One focuses on the difficulty of establishing a justificatory standard for democracy. It posits that neither deontic (or intrinsic- or inherent-value) nor purely instrumental justificatory systems are wholly satisfactory. Instrumental justifications of democracy, in particular, do not specifically allow for a more fine-grained distinction between the realisation of subjective and objective interests, overlooking the spontaneous and unintended consequential benefits that constitute the true value of democracy. Paradoxically, it is the fact of public *confidence* in democratic norms and institutions that itself gives rise to reasonable conditions for such confidence, and thus justifies democracy.

Chapter Two is concerned with an exploration of the commonplace, Enlightenment-informed perspective that democracies are able to benefit from plausible substantive agreement, and consensus, on political questions. This leads to a discussion of various theoretical responses to a central ‘epistemic dilemma’ between the cognitive diversity and epistemic compatibility of democratic participants, and goes on to elucidate two areas of scholarship that are central to the development of consensus-oriented democratic theory: first, the contractualisms of Hobbes and Rousseau, and second, the diversity of deliberative democratic theories. All of these are contingent upon some presupposition on the plausibility of collective rationality and consensus-targeting politics.

Following from the wide-ranging literature surveys that inform most of the first two chapters, from **Chapter Three** the thesis focuses on explicating and critiquing the theories

of anti-democrats and radical reformists, primarily focusing on those theories that attempt to address the epistemic inadequacies of voting publics. Chapter Three concentrates on a category of anti-democratic or radical-democratic theories which includes thinkers who believe that many (if not most) voters are too ignorant (or radically ignorant) to plausibly contribute to good democratic decision making. This, it is thought, can only encourage the populism of representatives who seek only to satisfy the requirements of their own re-election by a majority of people whose political ignorance is such that their satisfaction cannot reliably coincide with the *real* interests of the public. The chapter outlines the evidence for public ignorance, its implications for politics, and attempts to refute the arguments of the Platonists who use it as a basis for arguing against the universal franchise. This chapter also codifies the 'folk theory of democracy' whose satisfaction – through the maintenance of a universal franchise – may be central to sustaining confidence in democratic institutions.

Chapter Four is the first of three consecutive chapters dealing with deliberative democracy. It attempts to fully explicate the concept of 'public reason' as hybridising the act of reason-giving and the epistemic state of 'being reasonable', and the source of plausible meta-agreement given the implausibility of substantive consensus on answers to political questions. As a result, public reason functions as a stringent epistemic requirement for would-be deliberative participants. The chapter will take into account the approach of a range of contributors to the literature on public reason, including Habermas and Rawls. It will then attempt to narrow its analysis by casting doubt on the commonly-adopted distinction between 'consensus' and 'convergence' accounts offered by public reason liberals, arguing that 'convergence' is not recognisable as a version of public reason at all.

Chapter Five is concerned with the debate between theorists who hold that aggregative democracies are implicitly prone to arbitrary outcomes (such as Arrow and Riker), and those who question or seek to escape the implications of such conclusions. A discussion of the most significant criticisms of the social choice critique of democracy yields the conclusion that the critique remains, in large part, relevant to democracy. Deliberative democracy has been put forward as a possible 'escape route': by fostering deliberative meta-agreement, it may inculcate 'single-peaked' rationality on the part of citizens, markedly reducing the plausibility of the social choice argument about democratic arbitrariness. The chapter will cast some doubt on both the efficacy of deliberation as a means for the attainment of single-peakedness and the desirability of single-peakedness itself.

Chapter Six argues that any form of deliberative participation would necessarily entail the loss of political anonymity that is enjoyed as part of secret balloting. This anonymity-loss could entail several undesirable consequences. First, there is the danger that individuals or minorities with views which are popularly held to be less-justifiable will be filtered out of such a public decision-making process by effective self-selection. Second, self-interested choices carrying a greater argumentative 'weight' may be abnegated by such a process. Using evidence from social-psychological studies, chapter 6 will show that the side-effects of group dynamics and risk of ostracism in a deliberative forum could greatly undermine whatever epistemic benefits could be gained from deliberation itself.

The thesis will then offer a **Conclusion**, revisiting the principal themes and claims of the preceding dissertation, inter-relating them and using them as grounds for a more extended discussion of the thesis of democratic confidence in a wider context that assumes the presence of democratic crisis. This final section will also consider whether the conclusions of this thesis leave any room at all for deliberation in democracy, before rounding out the argument that the myths of democracy's virtues are spontaneously productive of democracy's own justification.

Chapter One: The Justification of Democracy

In the case of a word like democracy, not only is there no agreed definition, but the attempt to make one is resisted from all sides. It is almost universally felt that when we call a country democratic we are praising it: consequently the defenders of every kind of regime claim that it is a democracy, and fear that they might have to stop using that word if it were tied down to any one meaning.

George Orwell (1946)

In some possible worlds, probably some past states of the actual world, and possibly in some future actual scenarios, autocracy wins by the best results test and should be installed. Democracy is extrinsically not intrinsically just.

Richard J. Arneson (2004, p. 41)

Summary

This chapter will argue that neither deontic (intrinsic values-based) nor instrumentalist justifications of democracy are wholly satisfactory. Rather, political theory must attempt to find grounds to value democracy in a *consequentialist* way that will sometimes deviate from the content of instrumentalist claims. The methodological issues raised by such an approach are discussed. In closing the chapter offers one possible consequentialist argument in favour of aggregative, representative democracy, establishing the groundwork for the following chapters (which primarily seek to critique theoretical alternatives to existing democratic norms).

The Diversity of Democratic Justifications

Democracy may be best understood as the ‘normal’ form of government – for, as Ian Shapiro has put it, democracy of some kind is “close to non-negotiable” in practical political terms (2003a, p. 1). The range of possible democratic subtypes, and the potential for academic debates over whether one or another system of government really counts as democratic, is very large indeed. Confronted by these two facts, that many social orders are democratic in some way, and that those social orders whose democratic credentials are questionable will often seek to self-describe as democracies anyway, we can legitimately conclude that democracy, to use an analysis along the lines of those often deployed by Michael Freeden, is a concept with enough perceived value to motivate attempts at its decontestation by ideological groups (Freeden, 1998).

Why, then, might we value democracy? Is it because we prefer the “public ownership” of the institutionalised basis of authority in a society, best understood when distinguished from the “privately owned” political systems of aristocratic or monarchical regimes (Hoppe, 2001)? Do we believe that it can help us to ‘track truths’, as Estlund (2008) claims, or are we satisfied that it offers us the best way to achieve certain collective goals given the fact of multifaceted social pluralism? Is it valuable in a procedural way, or due to its promotion of a certain mind-set in citizens? Might we value democracy because it seems to us to approximate the literal rule of the many, which seems to us to be more legitimate and fair on some instinctive or intrinsic level? Or do we value contemporary democracy *because* it tends toward representative systems, ‘outsourcing’ the hard work of political participation?

This multiplicity of questions has invited a multitude of academic responses, each of which contributes to a literature of democratic justification. This chapter (and, to an extent, the next) will incorporate a survey of relevant literature that amounts to only a small cross-section of classic and contemporary democratic theory, since a truly exhaustive review of such a large body of work would be an impossibility.

One important preliminary consideration is that, in essence, democracy is more diversified in theory than it is in practice. One of the central subjects of this thesis, deliberative democracy, blends an explicit political programme with a theoretical foundation that draws directly from the classic contributions of ideal theory. Whereas democratic theory has a longstanding tradition of discussing the internal preferences and real interests of citizens, real-world democracies (and the theories that underpin them) have operated around the presumption that ‘real’ preferences must be whatever citizens express as votes

(or any other participatory mechanisms open to them). Deliberative democracy, by specifying an idealised system of democratic engagement, necessarily implies an ideal conception of democratic participants as well, and suggests ways in which to instil within real participants these preferable epistemic qualities, or filter for them. It therefore constitutes an attempt to bridge this ideal/real division, and this has implications for the extent of its persuasiveness from either perspective.

Democracy existed as an ideal in the modern era long before any attempt at its implementation as a political system, and the practical demands of real politics have often led to a cannibalisation of the democratic ideal. Democracy both persists as a realistic political proposition and subsists on the idealised notions at the heart of its original conception. Contemporary democracies do not tend to effectively embody even the most abstract of the principles with which they are routinely associated, but it is these principles that lend them an almost undeniable rhetorical power. It is difficult to argue against the concept of democracy as a means for realising personal political equality and the legitimacy of government, even as democracy makes negligible difference to the practical limits of our autonomy and does not offer much in the way of a government-legitimising mechanism either. The result is that very few would today dare to object to a political structure as hegemonic and as intellectually dominant as democracy, however loosely-defined that structure remains, and however weakly extant democracies incorporate foundational democratic values.

Those who do object to or critique democracy tend to limit their discussion to either the 'real' or the 'ideal' version of that concept; and thus all mainstream theoretical criticisms of democratic systems tend to be answered with recourse to either idealised notions or to pragmatic realism. If one were to claim simply that democratic procedures are unreliable aggregators, and that they will plausibly generate arbitrary outcomes from legitimate preference sets (as, for example, Kenneth Arrow (1951 [1963]) and William H. Riker (1982) have done), one need not attempt the kind of detailed practical rebuttal offered by Gerry Mackie (2003) in order to continue to venerate the ideal of democratic governance.¹¹ Similarly, an ethical objection to democracy – for example, a complaint about equal political access being afforded to individuals with varying epistemic capacities – may be dismissed with recourse to what we might call the Churchillian endorsement of

¹¹ See Chapter Five of this thesis for a specific consideration of Arrow and Riker's criticisms of democracy and the various rebuttals directed toward them.

democratic pragmatism: it is the best option only in so far as it is the worst option *excluding all other options*.

Thus, from a certain perspective, the prevalence of democracy as the ‘normal’ form of human government is not hard to explain. Wherever it is implemented, the ideals at the heart of democracy are largely perceived to be similar, and the attempted implementations of these ideals themselves seem to take on one of a few familiar forms. Representatives are elected on a regular or semi-regular timetable, constitutional questions or issues of foundational importance are referred to a plebiscite, and political parties coalesce in various ways in order to set the political agenda. Under a presidential republic or a Westminster-style parliamentary system, these essentials are unquestioned, and largely unquestionable – from among the various systems depicted in David Held’s survey of democratic models, for example, it is striking how limited the variations are at a macro level, just as in Arend Lijphart’s comparative study of democratic institutions in 36 countries (Held, 2006; Lijphart, 1999 [2012]). Democracy is not often associated with the classical forms that it took in antiquity, and its more radical templates are under-theorised in practical terms, lying far from the political mainstream. The consistency of the pragmatic liberal democratic form may almost seem to justify Fukuyama-styled theses as to the basis of its hegemony.¹²

It is reasonable, therefore, to assert that democratic *theory* has been far more diverse than democratic *practice*, and has been subject to a variety of proposed typologies and category-systems. This thesis will offer several overlapping approaches to distinguishing between various contributions to the literature on democratic theory.

Instrumental and Intrinsic Reasons to Value Democracy

Democratic theories may best be distinguished from one another in terms of their justification for democracy over other possible forms of social order, or, indeed, by their

¹² Francis Fukuyama famously, and perhaps prematurely, described a kind of culmination in the patterns of political and ideological contestation that had marked history until the close of the cold war and collapse of the USSR, meaning that liberal democracy could be the most-evolved and final system of human government, in his *The End of History and the Last Man* (1992). Of course, the ideal-theory version of democracy has never been implemented. From the perspective of an idealist, liberal democracies (or polyarchies, or electoral oligarchies) appear to be wholly toothless. Yet the uniformity of the liberal-democratic form, in so far as we can agree to label it as a species of democracy at all, is worthy of note.

conclusion that democracy is in no significant or measurable way preferable to competing forms of social order.

When theorists understand democracy as being in need of justification relative to other social orders, their efforts generally appear to operate in one of two basic ways. On the one hand there are intrinsic-value (or deontic) justifications, and, on the other, instrumentalist ones. Estlund (2008) handily summarises the nature of this distinction when he writes that democracy cannot really be considered to be consequentially valued by democratic *citizens*. Citizens do not, after all, lose faith in democracy every time it gets something wrong or produces a sub-optimal decision. Rather, we accept that democratic decisions have force – or authority – even if they are not “right” (p. 7).¹³ “Political nihilists” (as he calls them), who hold “that the only political values are procedural”, are thus required to determine whether there is “any reasoned basis of normative support for one form of politics over another” (pp. 26-7). This very question, inviting the justification of democracy as one plausible social order among many, is the real subject of this chapter (and the one tackled by many important contributions to democratic theory – see, for example, Knight and Johnson (2011)).

Some theorists, such as Richard Arneson (2004) or Ian Shapiro (2003b), use the ‘intrinsic vs. instrumental’ distinction quite explicitly in their discussions of democratic theory. It is appealing in so far as it allows easy comparison with the similar organising differentiations used in related fields of theory. This simple distinction, however, does fall somewhat short of total persuasiveness, and some of the reasons for this weakness shall be outlined below in order to problematize the instrumentalist category in particular, and further subdivide the theories which fall within it. Let us nevertheless proceed for now with this classic distinction in place. In approaches to democratic justification, we may encounter:

1. Intrinsic-value, inherent-value or deontic theories, wherein the fundamental (and often quite abstract) values embodied or upheld by democracy are considered to establish justifications prior to, and even irrespective of, democracy’s measurable performance in satisfying the preferences and desires of citizens.

¹³ This is best understood as a rejection of the notion that citizens endorse democracy in an act-consequentialist way, leaving open the possibility of a rule-consequentialist justification of democracy, where, notwithstanding specific outcomes that are undesirable, the overall consequences of democracy are considered to be preferable those of competing social orders. This argument is made particularly clear by Estlund in his essay ‘Beyond Fairness and Deliberation’ (1997, pp. 194-6)

2. Instrumentalist theories, wherein democracy's ability to realise desirable objectives and/or satisfy the preferences of citizens is the main basis of its value. From this perspective, democracy's possible embodiment of fundamental conceptual goods is only important in so far as it contributes to its efficacy as a tool for the realisation of certain outcomes.

These conceptions of democratic justification naturally overlap, as we shall see in the following discussion. If all one wants from democracy is a measurable increase in equality, then one might be able to justify it in both instrumental *and* intrinsic terms: Democracy is inherently characterised by increased political equality (in that some extent of political equality is entailed in the definition of democracy), and this is itself a consequence of democracy. Nevertheless, let us consider this divide in the justificatory literature before further problematizing it.

1. Intrinsic-Value, Inherent-Value or Deontic Justifications

In the first type of theory, the underpinning values embodied by democracy are judged to be more important than the outcomes of democratic procedures, and capable of establishing the desirability of democracy irrespective of actual outcomes. For example, if I believe that human *dignity* or *freedom* are inherently embodied and fulfilled by democratic social orders, and that the realisation of these intrinsic goods is sufficient for a justification of democracy even if I suspect or observe that democracies (by some metric) perform less well than other forms of government, then I am valuing democracy intrinsically, inherently, or deontically. Theory of this sort is well-represented in the literature, and deontic arguments are often employed *alongside* more obviously instrumentalist claims.

The essential contention of a justificatory approach that attaches inherent value to democracy *as constitutive*, rather than contributive, to some desirable state, is expressed very clearly by Seymour Lipset: "Democracy is not only or even primarily a means through which different groups can attain their ends or seek the good of society; it is the good society itself in operation" (Lipset, 1960, p. 403). To accept the central value that democracy embodies is thus to accept democracy itself.

Thomas Christiano, though orienting his defence of democracy around a mixed approach that aims to incorporate both procedural and instrumentalist justifications (Christiano, 2003, p. 3), often collapses his arguments to the extent of such an "intrinsic moral value" of democratic institutionalism. The principle of "public equality", in particular, is described by Christiano as providing a "moral foundation" to democracy's claims to authority (*Ibid.*,

p. 2). Indeed, many of Christiano's lines of argument are founded upon powerful examples of inherent-value claims, as in his discussion of various possible justifications of deliberative democracy: "To the extent that mutual respect and concern is demanded by justice, it is intrinsically important that people treat each other in this way" (1997, p. 245). Democracy, to the extent that it is *constitutive* of the minimal requirements of a notion of justice, may thus be valued deontically. For Christiano as for other democratic theorists who are primarily concerned with egalitarianism as an overriding social good, the facts of reasonable pluralism, public diversity and pervasive disagreement are not an obstacle to the realisation of an instrumentally valuable democratic procedure, but an argument for the necessity of equal standing between those with divergent moral claims (Singer, 1973; Christiano, 2003; 2008, p. 75). As Christiano explains, "[a]nyone who is excluded from participation in discussion and decision-making can see that his or her interests are not being taken seriously and may legitimately infer that his or her moral standing is being treated as less than that of others" (2008, p. 88). In so far as justice is defined by public equality, exclusion is constitutive of injustice – meaning that inclusion, and thus democracy, is constitutive of justice.¹⁴

Harry Brighouse, both in his discussion of democracy as the state of an equal availability of political influence and his rather less persuasive argument (with Marc Fleurbaey) in favour of a democracy that is oriented around a principle of proportionality, makes sustained use of intrinsic justifications (Brighouse, 1996; Brighouse & Fleurbaey, 2010). Brighouse characterises democracy simply as the *state* of political equality, which is itself important to the realisation of meaningful egalitarianism. For Brighouse, Democracy is thus justifiable on an intrinsic level rather than in terms of *instrumental* egalitarianism, which would simply stipulate that democracy is desirable to the extent that it is productive of material equality. Under Brighouse's approach, the just distribution of material resources is not the objective of democracies, but may in fact form the basis for the realisation of political equality, and thus democracy, itself: democracy (or "equal access to political influence") is not really a *means*, but a desired *end* (1996, p. 128).

¹⁴ This deontic justification of democracy on the basis of the justice of inclusivity may have significant implications for any epistemically-driven democratic theory that requires the narrowing of democratic participation, as the following chapters of this thesis shall discuss. For now, it is worth asking: is deliberative democracy, with its emphasis on those reasons that are acceptable to others, fully inclusive or respectful of the contributions of those whose reasons are found to be *less* acceptable? This is not a problem that Christiano himself appears to be concerned about (2008, p. 191).

Brighouse later shifts emphasis to the idea that the influence of each citizen should be proportional to the extent to which they are affected by the outcome of a given decision (and since the least-wealthy tend to feel the effects of political decisions more keenly than the most-wealthy in general, therefore realise a certain conception of redistributive justice). Political egalitarianism is thus justifiable in cases where the ‘stakes’ of all citizens are roughly the same; under other circumstances, it behoves democratic institutions to treat participants differently. As before, the ‘resource’ that must be distributed justly is political power itself. This shift may involve a redefinition of the intrinsic attributes of democracy, but does not alter Brighouse’s mode of argumentation, which is centred on the realisation of democracy-as-justice (2010, p. 152) – though, as we shall see in the next subsection’s discussion of Estlund’s rather similar (and earlier) line of argument, the line between the instrumental realisation of just outcomes and the positing of democracy as the embodiment of some conception of justice can be very indeterminate indeed.

Other intrinsic justifications operate around democracy’s embodiment of reasoned, evaluated, and thus *legitimated* decision-making. The justificatory force of these arguments is not contingent on some external assessment of the quality of decisions themselves, but rather on the inherent value of a legitimised politics (Beetham, 1991; Weale, 2010). Indeed, for Albert Weale, the centrality of democracy’s capacity for legitimation also forms the basis for valuing the analytical framework of political theory itself. An approach that centres *legitimation* as an inherent justificatory value will come under discussion as this thesis turns its attention to theories of deliberative democracy in following chapters.

2. Instrumental Justifications

In order to be categorised as a theorist of the second type, one must, irrespective of whether democracy embodies the condition of *freedom* or *dignity* (or something else) for its constituents, value democracies because they tend to produce desirable outcomes. This implies a certain conditionality, for if I am presented with evidence that some other system of government will produce outcomes that are *more* desirable to me, then as an instrumentalist I will then endorse this other non-democratic system. This is generally thought to require both a notion of what it is that I desire – my *preferences* – and, from these, some way of measuring the extent to which my preferences have been fulfilled – a *metric*.

Many instrumentalist accounts engage with democracy as a catch-all description for a variety of feasible social orders, some of which may be productive of desirable outcomes,

and others less-so. Ronald Dworkin particularly questioned the value of a democratic proceduralism that does not simultaneously foster a culture of rational public discourse and mutual respect between interest groups. The onus, then, is on theorists and political practitioners to develop “a conception of democracy that matches that sense of democracy’s value: We need an understanding that shows us what is so *good* about democracy” (Dworkin, *Sovereign Virtue*, 2000, p. 363). It is arguably the case that most democratic systems will be majoritarian in nature, and majority rule, for Dworkin, is not intrinsically valuable. Here, then, is an argument for a degree of equality and “partnership” between citizens that is not constitutive of an endorsement of democracy’s inherent value, but rather the necessary precondition for attaching any instrumental value to democratic processes whatsoever. Indeed, in presenting inequalities as ineluctably generated by democracy in the *absence* of corrective constitutional and cultural norms, Dworkin essentially provides grounds to question egalitarian claims about the inherent value of democracy (2000, p. 201), and sets the stage for a difficult examination of the possibility of redeeming contemporary democracies (Dworkin, *Is Democracy Possible Here?*, 2006).

In his important discussion of democracy’s value relative to alternative social orders, Robert Dahl approaches the problem of democratic justification from a different angle. Addressing the idea that the objectives of good governance would be best served not by an epistemically questionable democratic public but by some narrower group of more-expert “Guardians”,¹⁵ Dahl argues that there is no Guardian who could reliably establish moral truth – not least because moral truths are essentially contested – or get to grips with “instrumental knowledge” without needing to fall back upon democracy anyway (Dahl, 1989, p. 66). This is because the *preferences* that establish the requirement for their own fulfilment (and so instrumentally justify democracy) are contained within the public good, and dissemination of such concepts of the public good is that which is established by a successful democratic process. Guardians would have to be able to distinguish between partial or private interests from this public good, and the procedure that would allow them to do so would essentially be democracy (p. 74). What this argument establishes is the idea that democratic processes are inherently productive of a *notion* of the public good, but not necessarily of that notion’s realisation. Dahl’s instrumentalism leads him to compare democratic social orders directly with plausible alternatives such as ‘guardianship’ (as well as anarchism). Interestingly, only when an idealised, virtuous and

¹⁵ ‘Guardians’ is Dahl’s term for these theoretical experts; we might also use the term ‘technocrat’ or ‘meritocratic oligarch’. This thesis refers to this entire family of arguments as ‘Platonist’, and does not necessarily view them as intrinsically anti-democratic. In any case, an engagement with such claims, and an attempt to rebut them, forms the core of Chapter Three of this thesis.

omniscient Guardian is compared to a similarly idealised democracy is a degree of deontic justification introduced in Dahl's argument: a perfect Guardian would still be unable to compete with democracy's capacity for giving citizens freedom (p. 78).

Estlund is very direct in addressing the inadequacies of purely egalitarian justifications of democracy, arguing that unequal distributions of political power may at least plausibly deliver more just outcomes than a system that prioritises a Brighousian requirement for equal availability of political power (Estlund, 2000).¹⁶ The possibility put forward here is that not every deviation from principled egalitarianism need itself be unfair. One could establish procedurally 'fair' rules for the deviation of fairness in instances where an instrumental end is better served by, for example, epistemically-justified inequalities in democracy (p. 140). Just as Rawls is able to tolerate deviations from resource-egalitarianism if inequalities are at least beneficial to the worst-off (in line with his 'difference principle' (Rawls, 1971)), Estlund suggests that a kind of difference principle could be applied to the distribution of political power. Brighouse's recent turn to a democracy of *proportional* influence may be understood to be undertaking a similar egalitarianism-weakening project on the basis of a different principle for the fair deviation from fairness.

One important part of the instrumentalist literature orients an endorsement of democracy around its potential to yield and incorporate a wide range of alternative perspectives, understandings and approaches as policies are formulated and problems are solved. This may be expressed as a version of Deweyan 'experimentalism' or, more commonly, as an argument from the idea of 'cognitive diversity', or what Estlund describes as "the epistemic value of discussion among diverse participants" (Why Not Epistocracy?, 2003, p. 56). Helen Landemore, for example, bases her justification of democracy upon the empirical claim that the ability to make use of cognitively diverse participants gives democratic institutions a marked advantage over non-democratic counterparts (2012, p. 331). Epistemically speaking, democracies can therefore be expected to do at least as well as, and sometimes better than, a benevolent dictator or a group of experts. This is a

¹⁶ In the same piece, Estlund also makes the interesting point that Rawls chose the term 'fairness' over 'equality' while making a similarly narrow (but recognisable) case for the worth of democracy (2000, p. 132). Rawls' semantic preference is echoed by Charles Beitz in his book, *Political Equality*: "were it not for a desire to respect the traditional usage, we should dispense with the phrase *political equality* altogether and refer instead to the more fundamental value of political fairness" (Beitz, 1989, p. 218). This makes sense, given Beitz's clearly Rawls-inspired emphasis on contractualism. In the case of neither Rawls nor Beitz is it particularly clear how much their reciprocal and mutually respectful version of political egalitarianism (or *fairness*) is definable as an inherent, rather than instrumental, justification for democratic norms.

“strong” epistemic argument (a “weak” version of this argument would claim only that democracies can be relied upon to perform better than some randomised decision system).

Cognitive diversity is potentially important to the justification of democracy because a wide range of perspectives will be more likely to include all information that is crucial to the making of a decision. A narrow epistocracy, even one composed of genius-level experts, will leave decision-making in the hands of a group that is likely to be less experientially diverse and more intellectually (and descriptively) similar than in any democracy. Elizabeth Anderson describes this as the ‘Diversity Trumps Ability Theorem’, which suggests that where the following premises pertain:

- a hard problem (one which no individual will always be able to solve it correctly),
- a group of problem solvers who converge on a limited set of possible solutions,
- Said problem solvers are epistemically diverse (that is, they "don't all converge on the same local optimum"), and
- There are many problem solvers who work together in "moderate sized groups",

- then a "randomly selected collection of problem solvers outperforms a collection of the best problem solvers" (Anderson, 2006, p. 13; Hong & Page, 2004). In other words, there appears to be evidence to support the hypothesis that a democracy of diverse, lay participants is capable of trumping a technocracy or epistocracy of experts.

Of course, extant liberal democracies are built around procedurally narrowing the epistemic diversity of citizens’ inputs, which suggests that arguments along these lines are actually dealing with a rather abstracted, idealised notion of democratic procedure (Dryzek, 1990). Democratic representatives, and the citizens who choose to vote for them, already represent a kind of ‘biased sample’ of the general population. They must all (with the exception of places with compulsory voting) have in common a political mind-set, a sense of civic duty, or something along these lines. Perhaps more importantly, large-scale electoral democracies are based upon a range of options or candidates that have already been narrowed-down, pre-selected by a much smaller set of (cognitively non-diverse) politicians, administrators, or bureaucrats. By setting the agenda in this way, everyday democracies rather limit the realism of arguments from cognitive diversity.

While cognitive diversity arguments seem to take the pluralism of contemporary societies as an epistemic good in itself, other instrumentalists base their endorsement of

democratic process on the idea that democratic citizenship is more *improving* and *educative* – more conducive to a republican-styled ‘good life’ of civic virtue – than the citizenship of alternative systems could be. John Stuart Mill saw grounds for the justification of democracy in terms such as these (Mill, 2004 [1861]), as, ultimately, does William Nelson (1980). Nelson doubts that inherent-value claims can survive exportation to a real world filled with actual questions of policy or procedural justification posited by democratic citizens (The Epistemic Value of the Democratic Process, 2008), and recognises that a democracy needs to be at least somewhat sensitive to the possible epistemic failings of its public (1980, p. 91). The justification of democracy arises instead from democracy’s ability to incentivise a citizenry with a principled morality, in particular due to the “salutary effects of publicity” (1980, pp. 109, 111; 2008, p. 30).

This line of justification holds significant promise. If, as Arneson writes, “political democracy might work to improve people’s character on the average,” then the other important measures of democratic outcomes might be dismissible: “[A] democratic political order might be preferable to a nondemocratic alternative all things considered even if the laws and public policies generated by the nondemocratic order would be superior to those the democracy would produce” (Arneson, 2009, p. 198).

Some of the potential obstacles for epistemic instrumentalism – justificatory accounts based upon cognitive diversity or civic virtue – will be addressed in a detailed way by later chapters of this thesis. However, it is worth noting that neither of these accounts can clearly compensate for the issues associated with public ignorance, and the possibility that such ignorance is rationally motivated. As Arneson notes, “[d]emocratic instrumentalism becomes plausible by successful rebuttal of the claims that rational voter ignorance and unequal distribution of political wisdom across citizens can be parlayed into arguments for nondemocratic political order” (*Ibid.*, p. 203). One might be tempted to argue that such unequal distribution of wisdom is precisely what calls for a democracy capable of capturing cognitive diversity, but the risk entailed here is that one rather common epistemic position among the variety present in a contemporary society will *be* the position of ignorance. Any system capable of aggregating cognitively diverse perspectives will have to deal with a great deal of perspectives that are simply *uninformed*, and it is unclear that these will be readily distinguishable from more valuable contributions.¹⁷

¹⁷ For a more involved discussion of this problem in particular, see Chapter Three.

By contrast, Knight and Johnson advocate an experimental instrumentalism. The "priority of democracy" they defend is based on its ability to select, implement, and maintain "effective institutional arrangements", by "maintaining an experimental environment that can enhance our knowledge of the relationship between different institutional forms and the conditions under which they produce good consequences ... [and] that democracy is especially, almost uniquely, conducive to these undertakings" (Knight & Johnson, 2011, p. 19).

One of the most significant elements of the Knight and Johnson argument is the importance they place upon the "equal opportunity of political influence" to "effective democratic decision making". Their account justifies freedom and political equality on the grounds of their producing good conditions for democracy, rather than vice-versa (*Ibid.*, p. 20).

All this leads to a situation where various modes of democratic participation are deemed as potentially equally desirable. *Voting* is normatively desirable *in so far as* it implies a certain set of freedoms and political equalities; similarly, *deliberation* can be normatively desirable, simply because it implies a similar set of attractive norms of freedom and equality (*Ibid.*, p. 143) – given, of course, the presence of an important set of “cognitive capacities and skills necessary to effectively articulate and defend persuasive claims” on the part of participants (*Ibid.*, p. 239).

Problematizing the Deontic/Instrumentalist Dichotomy

This basic deontic/instrumental typology of justificatory-value standards is highly contestable. On an intuitive level, we can already see that the abstract, deontic values which serve as justifications for the first type of theories outlined above could also serve as the basis for the preferences or expectations of citizens against which the instrumental desirability of democracy would have to be measured. To endorse democracy instrumentally – say, on the basis that democracies tend to have peaceful relationships with each other, or tend to be more economically productive than other systems – is to establish a set of external values (peace and economic performance) which are *themselves* only desirable due to some other instrumentalist or deontic values-system. It seems likely that all such instrumental evaluations will eventually be reducible to ‘intrinsic’ desirability at some fundamental level, so that, at root, democracies are instrumentally valuable to me because I desire economic performance, economic performance is instrumentally valuable

to me because I desire human flourishing, human flourishing is instrumentally desirable to me because I am a human and *flourishing is intrinsically preferable to non-flourishing*.

This simple distinction is also problematized by the possible existence of democratic outcomes which appear to be valuable in ways which cannot be wholly described in either deontic/intrinsic or instrumental terms. Van Parijs (1998) essentially straddles this divide with his consideration of the value of the universal franchise. He does this by assembling an argument based on there being "two distinct grounds" from which to oppose a policy or constitutional change: The instrumental, where a policy might be judged as being "unable to generate any promising non-trivial proposal", or in terms of moral (or ethical) repugnancy - "prone to make recommendations inconsistent with some of our considered moral judgements" (*Ibid.*, p.301).

Van Parijs raises an important problem – the apparently disproportionate influence of older voters - and considers the key policy question that this problem invites: why not weight votes based on age (rather as Mill would have weighted votes based on education)? Indeed, why not disenfranchise the elderly altogether? (1998, p. 305) Ultimately, the argument for the maintenance of the universal franchise arises from an instrumental source of justification: we may uphold a maximally inclusive model of voting because "maximum inclusion of all those affected" by a policy brings "the actual objectives of key political actors closer to the demands of social justice" (p. 333). Van Parijs seriously considers, and then rejects, a consequentialist case for reductions in political equality, and along the way he presents the possibility that, if some alternative social order were more capable of producing social justice, we would be better-off endorsing such a system over democracy. Inclusivity in this case is not inherently valuable, but a (convenient) means to another end.

To return to David Estlund, meanwhile, it is clear that, although primarily deploying justifications that fall within the instrumentalist category (as discussed above), he also holds some foundational or intrinsic value to be present in democracies – he argues, for example, that the public interest is basically comparable with *truth* in the foundational sense, so that general acceptability can be indicative of truths (Estlund, 2008, p. 23). This suggests that Estlund's other contributions to democratic theory should be read as pragmatic in nature – offering instrumental and epistemic justifications on the basis that the intrinsic justifications are of themselves unlikely to be persuasive to others in a democratic sense.

Jon Elster is another scholar whose contributions to democratic theory seem to straddle the divide between deontic and instrumental justification. Van Parijs effectively situates Elster as a kind of anti-instrumental democratic theorist (1998, p. 331), and Cass Sunstein appears to agree with this assessment (1993, p. 349). Elster is certainly sceptical as to the value of purely instrumentalist argumentation, on the basis that a prospective politics can only operate on the basis of suppositions as to the likely outcomes of a certain policy or system, and that these suppositions (and their likelihood of being desirable) are similarly unlikely to come to fruition. For Elster, a constitutive political process that concerns itself with the *formation* of political alternatives and possibilities must be founded upon some conception of what would be intrinsically desirable, even if only because of our limited predictive abilities (Elster, 1993, p. 308). From this perspective, democracy is ultimately justifiable because it is intrinsically a fairer form of social order, and thus more able to gain democratic endorsement and achieve longer-term stability. This approach is generally redolent of instrumentalism, in its emphasis on the achievement of desirable outcomes, yet presupposes at least the perception of inherent democratic value as the means to such instrumental ends.

Elizabeth Anderson also takes steps to problematise any simple deontic/instrumentalist distinction. She outlines several candidates for what she calls “non-instrumental values” informed in part by Deweyan democratic theory: democracy, from this perspective, is desirable because, in participating, “we express sympathy for fellow citizens, exercise our collective autonomy, and manifest a form of collective learning” (Anderson, 2009).

The opportunity to project sympathy or revel in the kind of autonomy that is only possible within a polity: these outcomes, in so far as they are perceived to be valuable and create grounds for an argument in favour of democracy, would certainly be thought by most theorists to constitute instrumental grounds for the justification of democracy. Anderson, however, makes use of a more limited conception of instrumentalism – or, more accurately, seeks to point out an internal typology within the kinds of justifications that would usually be collectively referred to as instrumental. Under this view, instrumentalism entails straight-forward preference satisfaction (p. 213), and Anderson argues that there is an additional body of non-deontic but also *non-instrumental* reasons to value democracy. Importantly, while these non-instrumental values are descriptively distinct from instrumental preference-satisfaction, they are also contingent upon it: democratic participation, “in virtue of its instrumental value ... acquires a noninstrumental value too” (*Ibid.*). On this basis we are able to explain the apparently deontic justification

of democracy: “Even if a dictatorship could give them what they wanted ... citizens would prefer to govern themselves” (p. 214).

What distinguishes non-instrumental from deontic values? Anderson appears to set out two grounds for distinction: first, non-instrumentally valuable outcomes are still nevertheless *outcomes* of a given democratic process. She uses the example of a shopping trip: shopping is instrumentally valuable in so far as it satisfies our desires and needs for certain goods. Shopping is also potentially non-instrumentally valuable, in that the act of shopping may be capable of being pleasing to us on a level that is contingent upon, but not identical to, the satisfaction of those desires and needs. Shopping might make us *happy* (p. 213). This is different, it seems from saying that the act of shopping embodies, or is intrinsically constitutive of, some higher value.

The second of Anderson’s grounds for distinction between non-instrumental and deontic justification lies in the reversal of the usual ‘order’ of justificatory thinking. Where we usually imagine that our intrinsic values are fixed and identified prior to the instrumental pursuit of their satisfaction, ‘non-instrumental’ values are wholly contingent upon the pursuit of instrumental ends: “Among reflective persons, judgements of intrinsic and instrumental value interact bi-directionally” (p. 214).

For Anderson, then, values such as sympathy and satisfaction in practical collective autonomy reduce to neither outright instrumentalism (when narrowly defined as the satisfaction of individual preferences, as Anderson argues it should be) nor deontic justification. Anderson is essentially specifying a mode of justification for democracy which demands an outcomes-oriented values system that is also not particularly concerned with the satisfaction of preferences. She calls these ‘non-instrumental values’, but I think they may be best described as a kind of pragmatic *consequentialism*.

By adopting this more nuanced understanding of democratic justifications, we are left with a tripartite typology:

1. **Intrinsic/inherent/deontic justifications**, where the value of democracy is found in the fact that democratic participation embodies some fundamental or foundational good or goods,
2. **Instrumental justifications**, where the value of democracy lies in its ability to satisfy the established objectives of the polity that it governs and the individual preferences of its citizens, and

3. **Consequentialist justifications**, where the value of democracy lies in its ability to produce outcomes that are judged to be desirable, whether or not such outcomes are *intentional* or satisfy individual preferences.¹⁸

There are several complicating features to this typology that are worth noting immediately.

First, the definition of consequentialism offered above is clearly founded upon the assumption of the existence of real, or at least *better*, interests for citizens. It presupposes that there can exist a desirable outcome for the democratic citizenry which may not be captured by their conscious preferences (or the set of them that achieved consensus or majority support) and that *desirable outcomes* can entail something other, or more, than the satisfaction of said preferences. This suggests that the notion of consequentialism suggested here shares some common ground with inherent-value accounts, since the justificatory power of the fundamental principles that democracy upholds in such accounts must also be predicated upon the existence of real interests.

Second, it is also clear that, in a great many cases, the *instrumentalist* and *consequentialist* justifications of democracy will be very similar, or identical. If my individual preferences closely resemble (or map perfectly on to) my *real* interests, then an instrumentalist justification of democracy (“democracy is good because it more closely approximates my preferences than any other system”) will be functionally identical to a consequentialist one (“democracy is good because it produces outcomes that I consider to be desirable, and the assessment of this desirability is predicated upon my preferences”).

However, it is also conceivable that *citizens can be mistaken about best interests*. For example, Calvin may want (or prefer) a doughnut for his lunch. What he needs (or what is in his better interest) is a salad. He can instrumentally value a food dispenser in so far as it gives him a doughnut (or, conceivably, *persuades Calvin that he wants a salad* and then

¹⁸ A note on the semantics of this typology: distinguishing between instrumentalism and consequentialism may seem immediately problematic or arbitrary to some, primarily because the two terms are used more-or-less interchangeably in political theory. I hope that my decision on the semantics of this typology is made more clear by the ensuing discussion. The difference between instrumentalism and consequentialism suggested here could also be partially expressed as a contrast between ‘subjective’ and ‘objective’ consequentialism, where subjective consequentialism concerns the performance of a system’s ability to satisfy the the known preferences of actors, and objective consequentialism is concerned with the assessment of all of the outcomes of a given system (whether or not these overlap with subjective preferences). Instrumentalism seems a more natural term for the former kind of consequentialism (since we cannot design an ‘instrument’ to deliver a certain outcome without first having some conception of which outcomes we would prefer).

proceeds to give him a salad). He can consequentially value a food dispenser in so far as it gives him a salad, irrespective of whether or not he still would prefer the doughnut.

Instrumentalism, in this definition, necessarily incorporates a *telic*, or ends-driven, component. One must be able to at least conceive of the ends that one wishes to realise in order to recognise the realisation of such ends and instrumentally evaluate the performance of a democracy with respect to them, even if the desired ends are as simple as 'avoidance of authoritarianism'. Having conceived of their desired ends, the instrumentalist sets about creating the circumstances for those ends' plausible fulfilment. Consequentialism, however, leaves space for the possibility that all of this ends-driven activity is producing, in the aggregate, a *spontaneous order* whose *unforeseen* consequences are of considerable significance, perhaps even more so than the successfully realised ends of individual constituent agents. Such consequences are as likely to be undesirable as they are desirable, and so a great deal of classical liberal political thought revolves around the idea of being rationally risk-averse, and so minimising radical policies and reforms so as to avoid the host of potential negative outcomes that may arise from attacking an existing social order from within the strictures of our own limited knowledge.¹⁹

Yet the probability for unanticipated outcomes that are also, retrospectively, desirable, is logically as great as the probability of unforeseen consequences in the negative sense.²⁰

Much of this thesis revolves around the recognition of such 'knowledge problems' in politics, and this can be understood in epistemic terms as well, as an 'argument from ignorance': the knowledge problem here is that I am unaware of what my interests are, and have thus formulated preferences that cannot be sensitive to those interests. This

¹⁹ The archetypical argument of this type can be found in Hayek (1960 [2006], pp. 53-55; 1982 [2003], pp. 30-34). Russell Hardin also points out that versions of an argument that essentially specifies that attempts at effective governance are strongly impeded by our limited knowledge can be found in Tocqueville and JS Mill: "No one person or even significant individual could oversee or master all of this [diverse, social] knowledge, even in the small society of Athens. ... [I]f we wish to defend democracy ... we should make the Austrian theory of knowledge a centrepiece of our argument. Mill seems to agree with this theory when he says a central administration cannot know enough to govern well. Similarly, Tocqueville assumes a version of this theory in his claim that central administrative power cannot know enough to do its job; it excels at preventing, not doing" (Hardin, 2009, p. 233).

²⁰ One decent argument in favour of risk-averseness in policy and reform could be something like the following: Unforeseen events are a fact of living linearly through time. To be a political radical is to create additional conditions for unforeseen consequences which will be added to those that occur completely spontaneously. It is preferable to encounter unforeseen events from the static position of a stable social order than to do so while multiplying the chaos with radical changes to that order. This is not, however, an argument that I have seen being explicitly made by classical liberals.

argument also bears a resemblance, however, to the kind of Rousseauian perspective as to the public good that I treat with scepticism elsewhere. To presume the existence of 'best' or 'real' interests beyond the stated preferences of citizens is to invite methodological and ethical complications. Such interests may often be indeterminate – that is, subjectively established and therefore a matter of opinion.

Differentiating between *consequentialist* from *instrumentalist* justifications of democracy allows us to orientate our justificatory standards around the extent to which we accept that institutional arrangements *can be* centrally designed, and the extent to which we accept that outcomes, whether desirable or undesirable, are necessarily always *intended* or *predicted*. To measure democracy's value in an instrumental way is merely to measure the extent to which it satisfies our *predictions* of our requirements. If my capacity for prediction is limited by the extent of my epistemic capacities as a human being – see, for example, Tetlock's work on the predictive limitations even of supposed experts (Tetlock, 2006), Philip Converse on the systematic pathologies of public ignorance (1964 [2006]), or the contributions of Austrian economists such as Joseph Schumpeter (1943 [1965]) who have exported their 'knowledgeproblematics' to the central questions of public competence – then purely instrumentalist justifications are clearly an unsatisfactory basis for politics, as Elster has argued (1993).

Since it must be possible for our interests to sometimes fail to coincide with our preferences – and since this is not the same thing as asserting that we are able to consistently distinguish one from the other, or recognise best or real interests when we see them (which represents another level for our epistemic quandary) – we must consider two further questions:

1. How can consequentially desirable outcomes be measured?
2. In the absence of a reliable measurement for consequentialist performance that is not contingent on pre-existing individual preferences or intrinsic values, can democracies be consequentially justified at all?

Question 1 is essentially the statement of a methodological problem. Without some pre-set standard of desirability – entailed by either our predictions about our best interests or our endorsement of some fundamental set of overarching values – then democracies will simply produce a series of *outcomes*, variously liked and disliked by citizens on wholly subjective bases, with little justificatory value to speak of. The fulfilment of *real* interests, paradoxically, implies the existence of an elite or epistemically favoured group that is capable of comprehending what such interests consists of.

Unfortunately, such a group must be subject to the same epistemic limitations as everyone else. The most we can reliably assert is that better interests certainly *exist*, and while they may be captured by our preferences in such a way as to be fulfilled, it is possible that they may be unknown to us, or that the details of their realisation will remain beyond our reach.

This methodological problem is arguably insuperable, leading us to the challenge of Question 2. I propose, however, that there may be a way to *approximate* the measurement of consequentially valuable outcomes. If an arguably beneficial outcome – with the proviso that the benefits of such an outcome would plausibly be subject to contestation – is produced as a *result* of a democratic system, but in a non-deliberate way – that is, as a *side-effect* of democratic procedures and not as the outcome of any specifically-targeted technocratic or ends-driven objective – then this may plausibly be said to form the basis of a consequentialist (spontaneous desirability) justification for democracy. In the final section of this chapter, I outline the kind of outcome that I consider to be plausibly consequentially justificatory in this way. For now it is worth re-iterating that this does not rule out the possibility of preference-fulfilling (instrumentally justificatory) outcomes being *consequentially* valuable as well; rather, the independence of a seemingly consequentially valuable outcome from the widespread preferences of citizens would demonstrate the reality of a distinction between real and perceived interests and suggest that democracies, for various reasons, are spontaneously and procedurally productive of desirable consequences that may not even appear on the ‘radar’ of individual preferences.

Meanwhile, a wide range of democratic theory and practice is preoccupied with the establishment of a specific conception of real interests, and the promotion of these interests’ realisation at the level of individual preferences. The theory of deliberative democracy, for example, may arguably be said to work in this way, as it is an approach to democracy that is explicitly oriented around preference-shaping procedures.²¹

Non-Experimental Pragmatism: An Argument for Democracy

The epistemic basis for a deliberative mode of democratic participation, founded upon either the pursuit of a rationalistic consensus or a certain concept of public reason, is

²¹ Preference-shaping features greatly in the important literature around the question of political power. Chapter Two will establish the relationship between the overlapping justificatory systems described here and the intellectual framework that has emerged in the literature on political power, which seeks to explicate the range of modes of political influence.

highly questionable (as Chapters Two, Four, Five and Six of this thesis will explain in more detail). At the very least, if all of the supposed benefits of deliberation are to be realised, then the advocates of such a shift in the emphasis of public participation must make peace with the idea that the ideal of universal participation cannot plausibly survive the transition.

This is a negative argument, however. The fact of widespread public ignorance – and the persistent questions surrounding the ethical motivations of the average voter – also appears to damage the case for non-deliberative (aggregative, representative) democracy as well (the subject of Chapter Three), while liberal democracies may appear to be vulnerable to accusations of arbitrariness at a systemic or institutional level (as shall be discussed in Chapter Five).

This chapter has explained the difficulty entailed in establishing a justificatory argument for democracy. Deontic or intrinsic-value approaches will seem unsatisfactory to many kinds of democrats – technocrats, for example, who are more interested in measurably improved outcomes, will not be interested in sacrificing the pursuit of such outcomes in the name of more high-minded moral objectives. Pluralists and moral relativists, meanwhile, will be hard-pressed to recognise the legitimacy of a system that cannot plausibly embody the often incommensurable values of all of its constituent members.

But this chapter has also shown that instrumentalist justifications – if we define instrumentalism, like Anderson, around the fulfilment of conscious ends – are not wholly satisfactory either. By orienting success around the fulfilment of individual preferences, instrumental accounts simply analyse the extent to which some social arrangement is able to reflect our epistemically limited predictions as to our own interests. Not only are we capable of being wrong about our best interests, but democracy is capable of delivering desirable outcomes that citizens and central planners did not necessarily directly target.

Consequentialism, as I use the term, entails an emphasis on the desirability of outcomes without special emphasis on the fulfilment of agentic expectations. A consequential good may therefore be produced spontaneously and unintentionally, and even enhance a society for some time without necessarily ever being specifically noticed or recognised in a widespread way.

The final problem for this argument, then, is to establish an argument about the nature of such spontaneous, unintended consequential goods. What does aggregative democracy offer that other social orders cannot, and which democratic participants never explicitly

ask for? Are we even capable of recognising a social good if it lies beyond the range of explicitly understood preferences and normative commitments?²²

The side-effect of a generalised faith in the fairness and incontestability of democratic norms results in a political stability and a form of pragmatism that is, quite unlike Dewey's, counter-experimental. By being resistant to rationalist, experimental desires, democracies safeguard working social order and create stable conditions for other productive social forces. This counter-experimental side-effect forms grounds for the consequentialist endorsement of democracy, and disincentivises attempts to engage in radical policy experiments (such as, for example, drastic changes to democratic procedures or significant reductions to the voting franchise). The very notion of social experimentalism in a *scientific* sense is misguided, since the complexity of social conditions can never be perfectly replicated for successive iterations of a study, ruling out the possibility of adequate control of variables and rendering causal theses about social outcomes essentially unfalsifiable (Popper, 1961, pp. 64-66; Popper, 1963 [2008], pp. 456-457).

Democracies do not, in reality, model various alternative institutional arrangements – not even under deliberative circumstances, as Dewey appeared to assert (Dewey, 1939 [1976]; Dewey, 1922). Elizabeth Anderson's analysis seems soundest when she describes Dewey's vision of deliberation as "a kind of thought experiment, in which we rehearse proposed solutions to problems in imagination, trying to foresee the consequences of implementing them, including our favourable or unfavourable reactions to them" (2006, p. 14). The 'best' proposals are then implemented, and deliberative failure is taken to be indicative of falsification in the scientific sense.

Even if democracies could operate as venues for social experimentalism, they would be unlikely to do so perfectly. Institutions and policies are tied to contexts; there is no way to deploy the same context in each new experiment. Secondly, we cannot satisfactorily compare the 'success' and 'failure' states of the various institutional arrangements or policies. So while democracy, generically deployed, might provide the only reasonable conditions under which some kind of metric could be applied to the desirability of a certain arrangement - that is, 'is it popular?', and perhaps also 'why?' - we have done

²² In its emphasis on unintended consequences and emergent orders, this notion of consequentialism owes a debt to classical liberalism. For an argument that literally posits democracy as a spontaneous order, see diZerega (2000). Gus diZerega undertakes the project of justifying democracy as a "fundamentally a self-organising system", defending its working in broadly classical-liberal terms (diZerega, 2000, p. 193).

nothing to address the question of whether popularity is itself a desirable adjudicator of success or failure. This problem is magnified if there is no plausible, objectively measurable qualitative improvement between the judgement of an entire polity and the judgement of a single individual.

Knight and Johnson outline similar problems with the idea of democracy as a venue for experimentalism even as, in the main, they endorse democracy on experimentalist grounds. The paradox they gesture toward is worthy of re-iteration: if democracy provides the capacity for experimental recombinations of alternative institutional arrangements, then we have already preliminarily selected democracy as our arch-institutional assumption, without subjecting it to these kinds of ‘democratically competitive’ pressures itself (Knight & Johnson, 2011, p. 156). In other words, for democracy to be democratically legitimate, we must already have *chosen* democracy as the basis for legitimation, on an illegitimate basis! This is an arresting observation, but not as important as an objection to experimentalism as the unfalsifiability of ‘social science’.

Neither Dewey’s brand of pragmatic social experimentalism nor Popper’s advocacy of a fallibilist, piecemeal social engineering is entirely persuasive. Dewey’s account is far too epistemically optimistic, which makes the possibility of democracy forming the basis for effectively experimental politics unrealistic. Popper, while cognisant of the limits to scientific knowledge, does not fully account for the extent of political ignorance, making even incremental experimentalism difficult to achieve (Friedman, 2005, p. ii). In Chapter Three, this thesis will present the very substantial evidence of widespread, radical public ignorance, as well as presenting the argument that it would be foolish to reserve political decisions for those who are deemed to be more epistemically capable simply in order to safeguard the justificatory basis for democratic experimentalism.

Having rejected intrinsic, instrumental and experimentalist justifications of democracy, it is clear that we must look elsewhere for persuasive reasons to value democratic institutions. Democracy is valuable not because it creates the conditions for experimentalism, nor because it gives the public influence over their government (which would be an outcome of only questionable wisdom, as Chapter Three shall discuss). Democracy is also, it seems, not a reliable source of *direct* improvement in citizens themselves, though deliberative approaches may be more effectively educative than the current, aggregative norm. Just as with the results of social experimentalism, our epistemic frame is far too limited for democracy to be a reliable source of procedural improvements of any kind. Instead, a consequentialist defence of democracy is most

tenable when it asserts instead that democracy is valuable because it spontaneously creates a plausible and difficult-to-challenge source of social and political order: the fact of its acceptance as a procedural norm is at the root of its value.

Democracy creates a set of meta-agreed presumptions *regarding the apparent procedural value of democracy* that can be embraced by individuals whose political beliefs and private motivations may otherwise vary drastically. Unchallenged by serious competition as an institutional order – ‘meta-agreed’ as the fairest possible decision-making procedure without, necessarily, having been consciously agreed-to at all – democracy is robust in the face of radical or revolutionary impulses: a structural bias, perhaps, but one that is productive of stability. Meanwhile, the very unresponsiveness that direct and deliberative democratic theorists consider to be problematic – liberal democracy’s failure to constantly adjust in the face of public opinion or properly reflect the input of its citizenry – functions to both incorporate and minimise the influence of a public that is, by and large, not epistemically qualified for real decision-making power (see Chapter Three).

By equating democracy with good outcomes, and imagining that an undesirable democratic outcome would best be solved by *more democracy*, citizens unwittingly contribute to a self-reinforcing doctrine very like a mythology. The basis for this mythology – a kind of *folk theory of democracy* – will be explored in more depth in Chapter Three, which will test the premises of the folk theory against theorists who use empirical evidence of public ignorance to render elitist or epistocratic arguments.

For now, however, it is worth suggesting that this consequentialist justification of democracy may most clearly reflect what diZerega meant by positing democracy as a spontaneous order form of government (diZerega, 2000, pp. 193, 218). By accepting the somewhat paradoxical justification offered here – that *confidence in democracy is the most reasonable basis for confidence in democracy* – we may also approximate describing democracies as being what some classical liberals describe as “the results of human action, but not of human design” (Hayek, 1967, p. 96). Spontaneous orders create the basis for institutions, rules, interactive norms – and even for desirable consequences – without being consciously designed, worked-toward, or thought about (Hayek, 1982; Pennington, 2003, p. 726). Traditionally, we might consider human language or market forces to be examples of such spontaneous orders, and it may be stretching at least the Hayekian definition of such orders to categorise aggregative democracy among them. However, the self-reinforcing confidence-paradox of democracy is certainly an unintended consequence that is both produced by and constitutive of this particular form of social order, and one

that is not conscious in the sense of being instrumentally targeted by central planners or individual citizens.

Others, like diZerega, have gone far further in drawing from the Hayek's writings the basis for an 'Austrian theory of politics'. Dan Greenwood has pointed out Hayek's own endorsement for the basic components of political liberties and democratic rights (Hayek, 1960 [2006], p. 109; Greenwood, 2010, p. 779). Like Greenwood, we may then trace a Hayekian epistemology of democracy through to the contributions of Joseph Schumpeter, whose democratic theory will be discussed as part of a wider tradition of democratic scepticism in Chapter Five.

Conclusion: The Politics of Unintended Consequences

The limits of standard justificatory approaches to democracy – which this chapter has attempted to explicate – impose a real methodological obstacle in the path of any theory that attempts to espouse democratic norms. Nevertheless, it is difficult to overstate the importance of this preliminary 'positive' argument as an underpinning for the more 'negative' lines of analysis that are to follow, which will attempt to establish the weakness of several types of radicalism that, intentionally or otherwise, would likely result in reduced inclusivity, contradicting the folk theory of democracy and thus weakening the probable basis for public 'faith' in this form of social order.

This chapter has differentiated between instrumentalism and consequentialism in a way that is not necessarily explicitly recognised by other democratic theorists. Consequentialism, as it is understood in these pages, suggests the existence of desirable outcomes *whether or not such 'desires' are conscious preferences*. To propose any specific grounds for consequential justification is to establish a preference for some outcome, at least in the mind of one individual, and so, for some, it will appear that consequentialism (if it is to be marked by the recognition of unintended consequences) will at some level always collapse into instrumentalism. Certainly instrumentalism and consequentialism can, and often will, overlap in terms of content. Plausibly, I will often know that which is in my best interest. However, sometimes I will not – and the argument in this chapter intends to draw attention to the idea that our epistemic limitations establish instrumentalism, understood as the fulfilment of deliberate preferences, as quite a weak justificatory standard.

This distinction, I argue, remains productive, as it illustrates the epistemic pitfalls that await the reformist arguments that the following chapters will explore. To argue that arguments from public reason should be employed to limit participation to a narrower group of more epistemically capable and other-regarding citizens is to imagine that social experimentalism can be guided – and internally falsified – by entire publics, in line with the assumptions of what I refer to in Chapter Two as a ‘Rousseauian’ approach to democratic theory. This next chapter will establish that deliberation, even under ideal circumstances, cannot account for the possibility that best interests may lie beyond the range of perceived best interests and preferences – and, indeed, they may arguably be responsible for a manipulative form of systematic preference-shaping. If deliberation is capable of generating *positive* unintended consequences, then its mechanism for this is unclear.

Contrastingly, aggregative, liberal democracies are already justifying themselves consequentially. By making alternative social orders seem implausible, they are generative of counter-experimental political norms that effectively embody the ideal conditions for non-radical policymaking, and creating a politically legitimate centre of state action that also cannot justify overly coercive or intrusive politics, safeguarding the individual autonomy that is required for other desirable social outcomes. This is a line of argument that this thesis will refer to throughout the following chapters, and return to specifically in its conclusion.

Chapter Two: Deliberation and the General Will

A long habit of not thinking a thing wrong, gives it a superficial appearance of being right, and raises at first a formidable outcry in defence of custom.

Thomas Paine (1775 [1995])

Summary

This chapter provides an overview of deliberative democratic theory before introducing an important and often-overlooked dichotomy in the literature. This thesis distinguishes between theories of deliberative democracy that argue for a version of radical consensus, in line with the Rousseauian notion of a ‘general will’, and those which take into account the fact of value pluralism and are thus constructed more around a particular notion of public reason. The latter type of deliberation theory is the subject of Chapter Four of this thesis. This chapter, meanwhile, will examine in detail the core components of ‘general will deliberative democracy’: the idea that, through deliberation, entire publics can attain a kind of collective rationality that is able to generate political alternatives, design social orders and achieve highly legitimate, widely supported and mandate-maximising decisions. On a fundamental level, this perspective incorporates the idea that it is possible to be *incorrect* about our real or best interests, and promotes other-regarding deliberation as the crucible within which such incorrectness may be melted away. This chapter begins with the real-world example of deliberative politics within the Occupy movement, before embarking on a discussion of the nature of deliberative democratic theories, their foundations in the literalist contractualisms of Enlightenment thinkers, their apparent tendency to avoid prescriptions that aggregative processes should be replaced wholesale and preference for falling back upon mixed systems. The chapter concludes by arguing that it seems implausible that diverse publics can attain a collective rationality and standard of epistemic agreement that is capable of effective politics and social design, and by outlining a new typology of democratic theories.

Deliberative Democratic Theory: An Overview

All approaches to democratic theory are necessarily also approaches to questions around the distribution and exercise of power in societies. Power can operate in an observable, measurable way – where one agent influences a change in the behaviour of another through authority or coercion – or it may plausibly operate covertly and unmeasurably, with the exclusion of certain agendas from the realm of political possibility, or with structural biases that are designed to pre-empt disagreement and foster shared preferences. This last conception of power – though probably entirely unfalsifiable in nature – constitutes a central pillar in Marxist and socialist thought, as it operates around a notion of ‘false consciousness’, or what a critical theorist of the Frankfurt School might refer to as ‘false reconciliation’: in this case, for example, the false consciousness that may lead an individual to prefer something other than that which would be in their best interests.

The problematisation of preference-shaping sits uneasily with democratic theory, much of which rests upon the notion of *legitimate* persuasion and the inculcation of shared values.²³ Deliberative democracy, in particular, with its emphasis on central values of possible substantive consensus, or of a ‘public reason’ that necessarily reduces the accessibility of democratic participation (as I shall argue in Chapter Four), often entails the encouragement of consensus, or at least meta-agreement, and the provision of formalised venues for the persuasive power of popular or well-reasoned arguments.

At the beginning of this chapter, it would be best to establish a firmer understanding of the broader development of theories of deliberative democracy themselves. This thesis has already referenced deliberative democracy at several points. It is the main topic of discussion for the current chapter of this thesis, as well as chapters four, five and six, and operates within the literature as both a discrete democratic theory and a mode of democratic justification.

Stephen Elstub offers a helpful overview (2014, p. 1) of the development of the theory of deliberative democracy, interpreting the rather complex and messy progression of the ‘deliberative turn’ as a series of discrete ‘waves’ of scholarship, framed as reactions to a common set of perceived inadequacies in contemporary liberal democracy (several other

²³ Simone Chambers, for example, raises the concerning possibility that persuasive speech-acts may be effectively indistinguishable from coercion, and follows Habermas in distinguishing between, on the one hand, being talked-into a belief, and on the other, being convinced of the strength of the reasons that underlie that belief (Chambers, 1996, pp. 5, 12).

accounts are available, including Zsuzsanna Chappell's excellent critical introduction to the sub-field (2012), which offers a thematic approach that is less streamlined but perhaps more sensitive to complexity than Elstub's, or Simone Chambers' overview in the *Annual Review of Political Science* (2003). The best survey of the deliberative democracy literature up to 1998 is James Bohman's *The Coming of Age of Deliberative Democracy* (1998)). Crucially, Elstub frames deliberative democracy as a response to the "crisis" of liberal democracy, wherein citizens appear to be participating less in democratic politics, ascribing less legitimacy to social institutions and, quite simply, in many places beginning to "hate" politics and politicians (see, for example, Hay (2007); for an account of liberal democracy as stumbling between, and somehow surviving, successive waves of such crises, see Runciman (2013). For an account of a participatory crisis in democracy being produced by an over-emphasis on liberal, rather than democratic, values, see Barber (1984)).²⁴ Deliberative democracy's basic commitment (with varying emphases) to reciprocal reason-giving, knowledge-sharing, increased public participation and the pursuit of consensus²⁵ appeared to establish it as a strong basis for the defence and productive reform of democracy. As Joshua Cohen explains, deliberation is very often seen as a way to "enhance the mandate and legitimacy of elected representatives and other officials" (Cohen, 2009, p. 260): an ideal solution to what some perceive to be a global loss of confidence in existing democratic institutions. It is thus unsurprising that various theorists now view contemporary democratic theory in terms of efforts to "decenter the role of voting in democratic politics" altogether (Knight & Johnson, 2011, p. 128) – an undertaking that may not be entirely plausible, as this chapter later suggests.

Elstub (2010; 2014) suggests that scholarship on deliberative democracy is now in its "third generation", with each successive wave further shifting the academic focus away from the realms of ideal normative theory, and closer to practical and empirical considerations. The first generation consisted of classic contributions from central figures from several traditions of political theory, particularly John Rawls (1971; 1993; 1997), and Jürgen Habermas (1984; 1990; 1996) (but also, presumably, incorporating John Dryzek's

²⁴ It is worth reflecting on the possibility that the unproblematic endorsement of democracy that I employ as a basis of its consequentialist justification is being eroded by the kind of 'anti-politics' trends that Hay, Elstub and others describe. See the concluding chapter of this thesis for a fuller exploration of such a possibility.

²⁵ Let us note immediately that not every theory of deliberative democracy is actively consensus-seeking – though it should also be added that practically every theory of deliberative democracy *does* consider consensus, or the approximation of consensus, to be a desirable end (Fishkin, 2005). In general, theories of deliberation have become less likely to articulate the desire for outright consensus over time.

early articulations of what he then termed “discursive democracy” (1990)). Both Rawls and Habermas, and in particular their overlapping conceptions of reciprocal public reason, are discussed in chapter four of this thesis. Joshua Cohen’s work would also presumably fit within this more idealised, normative generation of deliberative scholarship, exploring the concept of public reason and extrapolating from it a set of abstracted principles for the realisation of ideal deliberative practice (Cohen, 1989; 1997). Both Dryzek and Cohen would eventually weaken their commitment to the approximation of consensus in their theories of deliberation, transitioning to accounts that more particularly prioritise an understanding of public reason that is responsive to the fact of value pluralism.

The ‘second generation’ of deliberative democratic theory, in Elstub’s overview, began to explore the theoretical paradigms established by Rawls and Habermas alongside a consideration of contemporary society that was more sensitive to the extent of its complexity (Elstub, 2014, p. 10). James Bohman attempted to extrapolate deliberation into a pragmatic theory that was able to take account the plausible obstacles to be found in complex societies, such as widespread social biases and cultural and value pluralism (1997; 2000). Amy Gutmann and Dennis Thompson also made a series of hugely influential contributions to the literature, building on a broadly Rawlsian conception of deliberative reason in order to establish the procedural value of commonplace deliberative institutions, and articulating social pluralism and moral difference as necessary preconditions, rather than obstacles, for deliberative democracy (1996; 2004). As Zsuzsanna Chappell suggests, this kind of proceduralist endorsement of deliberation contributed to a broader epistemic argument in deliberation’s favour as well (2012, p. 56), and so the theoretical deliberative project appeared to be on an ever-more-secure footing.

The current, ‘third generation’ in Elstub’s chronology marks a predictably “empirical turn” in the literature.²⁶ Democratic theorists are becoming ever-more responsive to the burgeoning library of results from real-world deliberative experiments on various scales, with particularly important sources of evidence arising from James Fishkin’s trendsetting “deliberative polling” studies (Fishkin, 1991; 2009; Ackerman & Fishkin, 2004), and

²⁶ It is important to acknowledge that Elstub’s account – and accounts of the development of deliberative democratic theory more generally – doesn’t attach enough importance to instances of quite radical deliberative politics in practice that predate the majority of scholarship on the issue. Participatory budgeting practices in Brazil, for example, originating with Porto Alegre in the 1980s but since extended across the country (and exported to others as well), provide an early basis for evidence-based analysis of deliberative procedures (Gret & Sintomer, 2005; Chappell, 2012). Deliberative ‘mini publics’, meanwhile, have existed in New England town hall meetings since the days of De Tocqueville, and form the basis for insightful works such as Frank Bryan’s 30-year analysis of their practices – a project which predates the vast majority of self-defined deliberative democratic scholarship (Bryan, 2004).

incorporating attempts to reflect the full institutional diversity of possible deliberative forums. A cluster of researchers at the University of Bern's centre for Interdisciplinary Deliberation Studies, including Jürg Steiner and André Bächtiger, have achieved considerable influence with their comparative analyses of deliberative practices in different national contexts (Steiner, Bächtiger, Spörndli, & Steenbergen, 2003; 2004).

An important feature of deliberative theories, as they have turned to these more practical considerations, is their tendency to prefer avoidance of aggregative procedures (i.e. voting) in ideal terms, but pragmatically embrace aggregative components in practice. The posited epistemic and procedural benefits of consensus-seeking deliberative democracy are therefore tempered by logistical considerations and the unlikelihood of achieving outright consensus: a source of contradiction, or at least of tension, that this chapter will turn to below.

An almost-inevitable dependence on voting, of course, is not the only reason to question the claims of deliberative democrats. As with all ideal theory, earlier entries in this literature may be critiqued for being startlingly unrealistic. When Joshua Cohen writes that "[i]n ideal deliberation, parties are both formally and substantively equal. ... Everyone with the deliberative capacities [of reason-giving discussion] has equal standing ... [a]nd each has an equal voice in the decision. ... [T]he existing distribution of power and resources does not shape their chances to contribute to deliberation" (1997, p. 74), he neglects the influence, or perhaps even the possibility, of factors that could obstruct such innate deliberative equality: such effects as rhetorical training or natural skill, charisma, or the advantage of representing a viewpoint close to normative expectation. It seems naïve to imagine that even a rigorously, procedurally 'equal' deliberative format (achieved through heavy moderation and specific rules) could rule out differing degrees of influence between deliberators themselves. These effects may necessitate an understanding of deliberative capacity as a resource in itself. The only plausible moment of genuine equality in deliberation (if equality is one of the goods for which deliberation strives, as Cohen argues) could be the necessary vote that would follow it.

Deliberation therefore does not *necessarily* produce epistemically more nuanced outcomes, simply because it will tend to be followed by the relatively 'blunt instrument' of voting (Saward, 2000). Voting is reductive, in that it must offer a reduced list of alternatives among which to choose, rather than affording each individual a vote for their own particular, and arguably unique, constellation of preferences. Ideally, in fact, voting would reduce the total, final number of options to no more than two (a very effective way

of avoiding the vast majority of Arrowian, Impossibility Theorem concerns (see Chapter Five)).

What, then, might be the value of public deliberative processes? There are two initial answers to this question:

1. We might, when deliberating, be exposed to a bit of heretofore unknown or under-considered information that causes us to change our minds – and, in so far as *better* arguments are more persuasive, *improve* our preferences. This, for a whole host of reasons, may prove to be unlikely; but more importantly, it is difficult to distinguish between willing, genuine preference change and hegemonic domination, preference-laundering, brainwashing or something else. For these reasons, the literature on ‘power’ is potentially very important to a discussion of deliberative democracy.
2. We might, as a part of the deliberative process, generate a new alternative option to those heretofore imagined, or establish a range of alternatives to better reflect the preferences of the voting public. This is more plausible than 1., though dependent upon a specifically-tasked and formalised deliberative process, which cannot realistically be *wholly* inclusive of *all* citizens (as I explain in chapter 6). However, the final voting alternatives cannot be wholly representative of the inputs of all parties - in this sense, voting will always ‘waste’ information, first at the establishment of alternative subjects for the vote, and second at the point of majoritarian supremacy, where all but the winning option are relegated away.²⁷

We may now be in a position to approach deliberative democracy from a slightly different perspective. Deliberative democracy, in its consensus-seeking mode, can be said to constitute an attempt to establish the preferential norms of a citizenry as a set of *real* interests, and to persuade the adoption of these real interests as preferences, thus creating the basis for the endorsement of certain outcomes on instrumentalist grounds. This understanding of deliberative democracy incorporates the assumption that collectives – or entire publics – are able to seize upon such ‘real’ interests, are more likely to do so in deliberative settings, and, in so far as under ideal circumstances our real interests would always be self-evident, make the approximation of consensus, and even of unanimity, the lodestar of deliberative politics. This emphasis on consensus is apparent, as indicated in the brief introductory survey above, in the earliest ‘waves’ of deliberative democratic

²⁷ Anderson (2006) addresses this with the idea of epistemically ‘productive’ dissent.

theory, before waning in favour of versions of deliberative theory that are more responsive to the challenges of complex, pluralistic contemporary societies.

As previously indicated, one complicating factor for the justificatory typology set out in Chapter One is that to accept the possible desirability of a procedure on some basis *other* than its ability to satisfy our preferences requires the existence of interests that transcend our own understanding of them in at least some cases. This, at root, is also the perspective adopted by Marxist theory when it offers arguments from ‘false consciousness’, an idea which has formed the basis for a powerful critique of liberal notions of political power-wielding and which may also offer an unexpected basis for scepticism over the claims of deliberative democrats.

Stephen Lukes (1974 [2005]) made use of an analysis along these lines in his influential critique of liberal, pluralised conceptions of power relations in modern states, such as those expressed by Robert Dahl (1957). Dahl evinced an understanding of democracy which was itself designed to contradict the elitist view that structures that are commonly understood to be pluralist and democratic in nature actually disguise a crypto-elitist reality, where a revolving hierarchy of elites actually hold the vast majority of real power in any given political context. Dahl’s observations of American society (particularly his famous case study of New Haven) revealed a complicated network of interacting interest groups, all of which wield at least some degree of influence over the others around them (Dahl, 1974). Certainly some of these agents can be said to wield more influence than others, but it would be a nonsense to suggest that there was any agent without any influence at all, in the sense of not having a minimal degree of control over some resource or basis of political capital. Such a ‘polyarchy’ is reasonably reflected in, but not limited to, the dispersion of sovereignty to be found in electoral democratic process. Other dimensions of influence are important to Dahl as well: as an ordinary citizen I might lack power in the economic sense, but wield a fair amount in political terms when I cooperate with like-minded people to form a pressure-group. If I were to accumulate a significant amount of financial influence through wealth and control of resources, but my formal political influence would be ‘capped’ by the norms of a democratic context.

According to Lukes, the main limitation to Dahl’s pluralist account of power in a democracy is methodological in nature. From Dahl’s perspective, power relations could be defined in terms of necessary, relational conditionality – A having power over B to the extent that A is able to make B do something that they would not have otherwise done. But by focusing on observable agentic relationships and ‘visible’ conflicts in society, he

arguably overlooked some of the most important dimensions of power-wielding. Bachrach and Baratz critiqued his approach along such lines, pointing out his failure to understand the importance of agenda-control (Bachrach & Baratz, 1962). If an agent can create the conditions where a certain conflict never arises, then they are wielding power at a point prior to where Dahl's relational model would be unable to observe it. This is a potentially very important source of social coercion in itself.

Stephen Lukes' own critique is more fundamental, arguing that Dahl's approach is incapable of telling us anything about the capacity that the powerful may have to shape the preferences, and thereby manufacture the consent, of the less-powerful. This view, if accurate, depicts the possibility of coercion occurring at a point prior to direct and observable conflict, which was necessarily the focus of the social science methodologies employed by Dahl, and prior, even, to attempts to reserve some issues and alternatives from being included on the social agenda (Bachrach and Baratz). By ensuring the adoption of a certain set of preferences – preferences that serve the interests of the powerful more than the interests of the powerless – a powerful agent is essentially imposing a false consciousness on wider society and creating structural biases intended to sustain the kind of crypto-hierarchy evinced by elite theorists.²⁸

There are complications with this view. How, for example, are we to distinguish between 'legitimate' preference-shaping (through persuasive argumentation, the use of new evidence, or deliberative discourse) and the 'coercive' preference-shaping that Lukes describes? And, as with our typology of justifications, how are we to distinguish between the 'real' interests of citizens and their mere preferences in each case, when interests and preferences are both subjectively understood?

Joshua Cohen expresses the tensions that exist between already-present inequalities of power and the deliberative ideal as an issue of public naiveté (2009, p. 255). Powerful actors may be able to structure their arguments or the preferences of those who might oppose them, finding a way to make iniquitous proposals seem publicly reasonable. James Bohman suggests wider cause for concern, explaining very plausibly that, among other factors, deeply entrenched inequalities of power could lead to the exclusion (and self-

²⁸ Lukes' assertion that the narrowness of Dahl's political analysis of US society was predicated on his methodological biases, and thus on his simple definition of power itself, is not universally accepted. Indeed, instances of power-wielding under the second and third 'faces' or 'dimensions' may still be captured by Dahl's equation (presented here as "A has power over B to the extent that A is able to make B do something that they would not have otherwise done"), depending on how we interpret "would not have otherwise done" (Blau, 2011). See Keith Dowding's *Power* (1996) for a comprehensive alternative to Lukes.

exclusion) of some groups from deliberative process. To have one's reasons ignored (or mocked) would cause citizens to "have no reason to expect to be able to influence future deliberation, and thus have no reason to continue to cooperate" (Bohman, 2000, p. 148). Just as importantly, the possession of power could confer the ability to simply ignore the outcome of a deliberative decision.

The deliberative democrat, at this point, could object that these objections are at least as true for aggregative democracies as they are for deliberative democracies. In an ordinary Dahlian 'polyarchy', a particularly moneyed or well-connected agent can easily subvert or purchase influence over the narrower group with decision-making authority, as powerful lobbying groups do in Washington and Westminster on a routine basis. These same resources could enable the very rich or very powerful to 'exit' a polity rather than obey a certain law or pay a certain tax, and the scale of their potential contribution to that polity's economy creates influence of a different kind, so that the mere threat of departure becomes a powerful political lever.²⁹ Deliberative democracies would not be especially vulnerable to the influence of the powerful, merely as vulnerable as every other form of polity.

This counter-argument discounts the possibility that, to put it starkly, if all participation is essentially time-wasting then deliberation simply entails the wastage of more time than other forms of participation. Deliberation, unlike simple voting, is a time-consuming and epistemically burdensome activity. In the face of plausible 'elite capture', concerned citizens could do better than engage in a deliberative process where the odds are stacked against them in any case – for example, they might mount some more impactful form of collective action (Cohen, 2009, p. 256). Cohen's response to this line of critique is that it betrays a misunderstanding of what is entailed in deliberative proposals, which are intrinsically other-regarding in nature. This strikes me as a weak response, and one that seems to imply that deliberation requires some external means of assessing the reasonableness of arguments – that public reason is not a self-regulating requirement.

As we shall see in Chapter Six, the psychological complexity underlying any process of preference reformation and persuasion makes it impossible to argue that any regulatory or epistemic framework is capable of ensuring that all the preference-shaping within a deliberative democracy will be benign. Without the means to establish the nature of a

²⁹ Consider, for example, the commonplace argument that corporate and top-level income taxes are never increased for fear that the wealthy individuals and businesses in question will simply move somewhere else.

public's 'real interests', or to plausibly argue that a pluralistic public is capable of having a politically unitary 'real interest', deliberative democrats are proposing an alternative way to do what democracies do already – identify and promulgate the most popular consciously-held preferences within a given polity.

Those with less-popular preferences (minorities of various kinds) will tend to misrepresent their views, or fail to participate in deliberation at all by self-excluding: phenomena that might best be understood as instances of power-wielding as agenda-control or preference-shaping. But are these concerns more than theoretical? Is it possible to speak concretely about real-world instances of deliberative exclusion being produced by a politics aimed at radical consensus?

The Occupy Movement: Consensus-Seeking Deliberation

It is one of the contentions of this thesis that popular deliberative democracy will tend to be less inclusive and less cognitively diverse than liberal, aggregative democracies. This is partly because of the expectations associated with the foundational notion of 'public reason', and partly due to the more undesirable side-effects of any non-anonymous politics. This chapter sets about situating deliberative democracy – which was introduced in Chapter One among other theoretical bases for the justification of democracy – within the wider idea of collective rationality. Yet the epistemic limitations and differences between individuals make the prospect of collective rationality and a truly inclusive deliberative politics very distant.

The Occupy movement represents an opportunity to analyse the mechanisms and efficacy of consensus-driven collective decision-making: in its pursuit of unanimity, it in many ways constituted an attempt to institute a real-world deliberative democracy (Cornell, 2014). It embodies a critique not only of financial institutions, but of the perceived failings of democratic policymaking as well (Dorf, 2012; Porta, 2013, p. 83; Boyte, 2014, p. 1).

As a case study, an understanding of the decision-making practices of Occupy may thus tell us much about the ideals at the core of publicly-reasoning deliberation – and the exclusive political circumstances demanded by even its partial realisation. The implications of this recent, widespread attempt to employ the politics of deliberation and public reason within an often diverse (and sometimes fractious) inter-cultural social movement may be cause for both the comfort and concern of the theorists of deliberative democracy. Comfortingly, the debating and decision-making strategies employed by participants of Occupy seem to

have had at least some success as a set of sustainable democratic procedures. More worrying, however, is the reality that these strategies were themselves necessarily founded upon the effective restriction of deliberation to a cognoscenti of ideologically and epistemically similar individuals. Occupy's pursuit of consensus may also, in itself, be a telling indicator of the reality of practical deliberative projects, which are not as much founded on an ideal of 'facing the other' or emphasising the benefits of 'cognitive diversity' but instead are a systematic way for agreement-prone sets of individuals to underscore the coherency of their in-group.

By October 2011, the 'Occupy Movement', as it had by then become known, had grown from a series of little-reported protests and sit-ins to a global media sensation. Its most literal 'occupations' – camps of activists setting up semi-permanent dwellings in parks and public spaces – started to spring up in major cities across the world. Though the specific demands of these protestors remained (and remain) somewhat unclear (and many have claimed that the lack of particulars in this regard was a conscious decision for Occupy), it is safe to say that they were generally discontent with the established norms of their socio-economic context; they objected to capitalism's seeming infiltration into politics, to the reckless behaviours that had led to the banking and financial crises of recent years, and, in the most generally-drawn ways, to politics, consumerism, and war.³⁰ More than any other recent popular movement, and despite this vagueness, 'Occupy' was concerned with the collision of politics with capitalism. Very tellingly, the movement seems also to have tended towards a heterodox form of internal democracy.

With a foundational opposition to the trappings of hierarchies in general, decision-making within the occupations came to be based upon a radical version of deliberative democracy. David Graeber, one of a very few generally-accepted 'architects' in a movement dedicated to egalitarianism,³¹ related his experience of this deliberative process: Mark Mazower's

³⁰ Several attempts have been made to set out the objectives of the Occupy protesters, though these are often undone by the numbers of people involved, the variety of their contexts, and the diaphanous nature of their discontentments. Naomi Wolf invited contributions from within the movement in order to reach a tripartite explanation of their demands – campaign finance reform, financial institutional reform (so as to make impossible a repeat of the 2008 crisis), and the severing of the connections between politicians and business interests (Wolf, 2011). Wolf's article was quite controversial; nevertheless, it remains one of the clearest and most categorical attempts to explain the motivations and objectives of the 'occupy movement'. These categories are also rather particular to the American political context, providing perhaps only a flavour of the concerns that motivated the international movement.

³¹ This is essentially the claim of an investigative piece in Rolling Stone magazine from November 2011, and seems not to have been denied since (Sharlet, 2011).

review of Graeber's book on the subject offers the clearest summary, noting that Occupy's assemblies revolved around

a kind of deliberative democracy ... that aimed not at vote-taking but rather the creation of consensus among people[.] ... Someone talks, pausing between sentences which are repeated loudly by others around him or her, and then further transmitted onwards, before the next sentence emerges. Consensus itself is the ultimate goal. What happened when consensus proved impossible is not discussed [in Graeber's book]; maybe it never did. There are brief references to the presence of undesirables, people who either cannot behave as thoughtfully and decently as the rest or whose political views put them outside the pale, and who are summarily asked to leave. But the prevailing assumption is that freed from the tyranny of misinformation and repressive institutions, most people will embrace this way of doing things and be willing to make it work. A fog of false consciousness suffocates ordinary Americans, but once lifted the ideal of consensual unity is achievable, and Occupy Wall Street showed it. (Mazower, 2013, p. 28)

This account provides us with a very recent example of consensus-driven deliberative democracy in action, and reveals a set of features that closely resemble the predictions of some deliberation theorists. A direct quotation from Graeber's *The Democracy Project* is illustrative of how these systems were used:

When operating by consensus, a group does not vote, it works to create a compromise, or even better, a creative synthesis, that everyone can accept. ... The pivotal point was when Mike, the anarchist veteran from Baltimore, made the following proposal. "There seem to be two positions," he said. "*There seem to be two positions,*" the crowd answered. "Either we stay in the park, or march on Wall Street." "*Either we stay in the park, or march on Wall Street.*" ... After about an hour of swirling discussion, clarifications, and suggestions, we called for consensus around a proposal based on Mike's suggestion, and the group decided to do exactly that. (Graeber, 2013, pp. 52-53)

The intention of achieving (or at least approximating) consensus is itself significant, as not all deliberative democrats seek such an end, or believe it to be plausible (and it is worth

noting here that Graeber does establish in his book the use of two-thirds supermajority voting in cases where consensus proves impossible (*Ibid.*, p. 33).

More pertinently for this chapter, Graeber describes the specific exclusion of some individuals: those whose views (or whose mode of communicating those views) were, in Mazower's words, "undesirable" or "outside the pale" (Mazower, 2013, p. 28). However, such views are the product not of a legitimate difference that is admissible to the consideration of the forum, but of a "false consciousness". This seems to contradict the argument made in Graeber's brief history of consensus-driven democratic systems, where they are venerated as a problem-solving tool "among those who respect the fact they will always have, like all humans, somewhat incommensurable points of view" (Graeber, 2013, p. 203).

A key tension for this conception of democracy thus emerges: how far can the pursuit of a variety of perspectives – what some other thinkers refer to as 'cognitive diversity' – be taken before even the targeting of consensus moves beyond plausible reach? As Graeber writes, "if one just assembled a random group of people off the street ... probably they would be unable to find much common ground ... [b]ut no one comes to a meeting of their own free will unless they want to get something out of it, a common goal everyone is there to achieve" (p. 224). In other words, such deliberative meetings have a chance at success because they are not composed of random participants, or even of representative elements of a wider public – they work because they are built around groups of people who already share a great many cognitive similarities, and tend to exclude those who would disagree with the group's ambitions at any meaningful level.

Graeber goes on: "There are people who are, for whatever reasons, too damaged or disturbed to take part in the democratic assembly. There are others ... who are so disruptive and difficult, who demand such constant attention, that indulging them would mean devoting so much more time to their thoughts and feelings ... that it undermines the principle that everyone's thoughts and feelings should have equal weight" (pp. 224-5). Such people are asked to leave, or studiously ignored by the rest of the assembly. Elsewhere, Graeber argues that a democracy of representatives selected by lot would still need some way of excluding "obsessives, cranks, and hollow-earthers" (p. 298).

At this point, we may be justified in asking why Graeber does not view the deliberative democracy put into practice by Occupy as a failure. Despite the fact that the movement's decision-making meetings were attended on a wholly voluntary basis, by individuals who were already far more generally predisposed for agreement than some representative

sample of a population would have been, and despite Occupy's explicit commitment to the use of a radically inclusive and participatory democracy, and general stance of considering state actors with a democratic underpinning to be far more legitimate than any alternative, this is an attempt to realise deliberative ideals that was not able to accommodate every participant into its process. Graeber tells us that those excluded from deliberation were "damaged", "disturbed", "disruptive", "difficult", or otherwise irrational or misguided. But can we be dealing with a system of democracy when some sectors of a reasonably pluralistic group are simply beyond the pale? After all, citizens with more mainstream political views might be tempted to describe Occupy as disruptive, and itself populated by "obsessives and cranks". If these subjective assessments, which may be founded upon little more than reasonable disagreement, can become a basis for political exclusion, then deliberative and participatory democracy may themselves have incommensurable objectives.

The existence of at least some tension between the objectives of epistemic virtue and inclusiveness is itself intuitive, and in so far as public deliberative democracy entails a number of procedural changes or efforts to magnify the depth and quality of democratic participation, it seems reasonable to expect this to come at the cost of inclusivity. Indeed it may be the case that we most closely approximate the ideals of deliberative politics when our discussions are informal, and unattached to the requirements of public reason or the stakes associated with real decision-making (Mutz, 2006), making broadly participatory deliberative procedures anathematic to desirable outcomes. However, an effective reduction in inclusivity also threatens to undermine several bases for the justification of democracy, such as cognitive diversity, or the kind of wide-ranging stability that may be obtained by non-experimental pragmatism (as outlined in Chapter One).

Deliberation without Aggregation?

The Occupy movement is a practical example of a deliberative procedure failing to accommodate all would-be participants. Theories of deliberative democracy also seem to stop short, in many cases, from fully extrapolating their normative arguments into prescriptions for the adoption of entirely deliberative processes by democratic institutions. Partially, this is motivated by the epistemic dilemma that is clearly present in the case of Occupy, above (and discussed in greater detail below). One way of preserving the advantages of deliberation is to abandon any objective of approximating consensus, and to instead follow discursive processes with voting, in the hopes that the very act of

deliberation will produce improved outcomes once the votes have been cast and aggregated.

The notion that outright consensus can be achieved by deliberative democracy is naive even in the realm of ideal theory. Many theorists argue that, in ideal terms, in the presence perfectly rational participants and with no limitations on the time or resources that could be expended upon deliberation, consensus around a single course of action, candidate or option would be the ultimate outcome (Cohen, 1989; Mansbridge, 1983). This is, perhaps unfortunately, not true. Even perfectly rational deliberators, engaged in limitless deliberation under ideal circumstances, would fail to find consensus on at least some substantive questions, simply because some questions lack answers that are evidently 'true' or 'best'. Unless the existence of better or best answers is one of the preconditions for the ideal situation described in such theories, then the existence of some such 'better' outcome - or at least of an outcome whose superiority is universally recognisable under ideal circumstances - remains an article of faith rather than a matter of fact or an intrinsic component in all substantive issues. A theoretical framework so ideal as to argue that all potential issues scrutinised by deliberative forums have potential best outcomes is likely to be so abstract as to have little bearing or utility in any other academic or practical context – and so a few critics of deliberative democracy have opposed the pursuit of substantive consensus even at the ideal level (Manin, 1987, pp. 359-361). The mainstream of deliberative democratic theory, as discussed in the brief survey at the start of this chapter, soon shifted focus from substantive consensus to the achievement of some kind of *meta-consensus*, and the results of this step-change will form the central preoccupations for Chapters Four and Five of this thesis.

Given these shifts in the busy field of deliberative democratic theory, it is important to note the possibility that one may long labour under the misapprehension that many of the strongest proponents of deliberation are prescribing the adoption of public, deliberative processes not as *supplemental* to the structures of voting and representation that are present in contemporary liberal democracies, but as *wholesale replacements* for them. This misapprehension – that pro-deliberation theorists prefer the end of *deliberative democracies* in a complete sense, without recourse to voting at all – is certainly not unreasonable, and deserves defence. Gerald Gaus (2008) is among those to have pointed out how strange it is that so many theories of deliberative democracy should, having understood the impossibility of outright consensus, be comfortable in then reverting to simple majoritarian voting. Yet the idea of two spheres of democratic participation – a preliminary, informal stage that involves the reciprocal reason-giving of citizens, followed

by the formal establishment of a representative sphere, underpinned by elections – has been present since some of the earliest recognisable contributions to the contemporary deliberative democratic literature (Chambers, 2003, p. 311). A counterpart to this, the decision-making deliberative *public* that proceeds to a vote once the discussion has concluded, should seem similarly plausible.

Where some theorists of deliberation impose limitations on the scope of their theories, explicitly advocating deliberation as a procedural preliminary to voting, others sidestep or ignore the role of voting altogether. Bruce Ackerman and James Fishkin recommend the institution of 'Deliberation Day' only as a prelude to elections and as a means of improving the preference-formation of citizens – in other words, promoting deliberation only as a means to increased rationality and legitimacy in the subsequent traditional vote and legislative cycle (Ackerman & Fishkin, 2004). John Rawls (1993; 1997), in many ways the originator of contemporary deliberative democratic theory, limits his advocacy of a deliberative politics to questions of fundamental and constitutive importance to a wider social order, as we shall see in Chapter Four of this thesis; otherwise, the exercise of 'public reason' is best reserved for a powerful judicial body such as the US Supreme Court. Joshua Cohen, one of the most-cited and most influential of deliberation theorists, bases his advocacy around the desirability of the pursuit of political consensus, but adds that in many cases a majoritarian principle will be necessary: "Even under ideal conditions there is no promise that consensual reasons will be forthcoming. If they are not, then deliberation concludes with voting, subject to some form of majority rule. ... [T]he results of voting among those who are committed to finding reasons that are persuasive to all are likely to differ from the results of an aggregation that proceeds in the absence of this commitment" (Cohen, 1997, p. 75). This 1997 version of his famous *Deliberation and Democratic Legitimacy* was a reworking intended, in part, to account for the main line of criticism against its original 1989 incarnation, which espoused outright consensus rather than any such grudging dependence on voting or "reasonable pluralism".

Michael Saward establishes how common it is for deliberative democrats to neglect to point out the eventual dependence of an inclusive deliberative forum on voting, or some other preference-aggregating procedure, in order to reach decisions (Saward, 2000). The result, he argues, is that the distinction between aggregative and deliberative democratic systems is often overdrawn, even as many theorists consciously situate their advocacy of deliberation within rather specific institutional contexts (pp. 71-2).

At times the necessity of resorting to votes is strongly implied, but never made explicit. For example, Amy Gutmann and Dennis Thompson underpin their democratic theory with the understanding that reasonable moral disagreement is almost always completely unavoidable, as explained in their *Democracy and Disagreement* (1996, p. 16), and compellingly argue against the liberal approach of fostering meta-agreement on “higher-order principles” that preclude the need for the approximation of consensus in instances of outright differences in moral outlook in *Why Deliberative Democracy?* (2004, p. 64). Yet, despite this awareness of the intractability of such disagreements, Gutmann and Thompson almost completely sidestep the question of the necessity of voting, apart from implicitly pre-supposing the necessity of representatives as the basis for their procedural principle of accountability (1996, ch. 4), or openly accepting that “most democratic decisions are made by representatives” (2004, p. 29).

The idea that certain deliberation theorists would actually prefer the wholesale replacement of existing democratic mechanisms is reasonable. That so many of these thinkers – who describe the effects of broadly-seized public deliberation so positively – do not, at the last, promote such a view is perhaps, from the perspective of the ideal political theorist, disappointing. The idea of universalised deliberation replacing votes and taking a leading role in policy formation is hugely problematic in practical terms; it is untranslatable into the language of policy, logistics and institutional implementation. Yet the role of the ideal theorist is, or should be, unconstrained by such concerns. If they believe their own arguments, why do deliberation theorists not baldly state that the best of all possible worlds would see the town hall meeting altogether replace the ballot box and the parliament – or at least state outright that such an arrangement would be more faithful to a consensus-seeking democratic ideal?

John Dryzek has come closer to arguing explicitly for the instrumental and epistemic benefits of deliberative structures *as opposed to* aggregative systems, and some of his contributions to this literature serve as an excellent case study of the gap between rhetoric and prescription in deliberation. He tells us that “the essence of democracy itself is now widely taken to be deliberation” as part of a new emphasis on the “authenticity of democracy” (Dryzek, 2000, p. 1). He notes that deliberative democrats of various hues share the key ambition of the outright “rejection of aggregative models of democracy” (p. 3). The view that places *elections* as the key influential connection between public opinion and the legislative process is described as “old-fashioned” (p. 26). The purely deliberative alternative is, perhaps, the ‘beyond’ from the title of Dryzek’s book *Deliberative Democracy and Beyond*, for it is here that he suggests that contemporary deliberation theory,

originally highly imaginative and radical, has been subsumed, like so many other approaches, into tolerant liberal constitutionalism (p. 28).

Dryzek eventually explains that he favours a relatively narrow (or highly selectively inclusive) *state* – in other words, he seems to prefer a smaller, elected group of executors to implement and administrate the decisions rendered by the public. This is important for Dryzek's argument because of the emphasis he places on 'insurgency' by a reforming element as opposed to co-option into the establishment. A massively empowered and deliberative civil society permits perpetual insurgency and challenge without ever declining into half-hearted liberal consolidation. This position is reconciled with Dryzek's commitment to direct and deliberative democracy by virtue of its being based on carefully constructed definitions of both 'state' and 'civil society'. Yet the nature of the participatory and legislatively empowered 'civil society' described is perhaps indistinguishable from any *conventional* definition of the state.

Dryzek himself offers a concise baseline definition for *state* - "the set of individuals and organisations legally authorised to make binding decisions for a society" (p.82) - and, though he later states that different, nuanced definitions may be more useful, the above appears to be intuitively accurate and compelling (and, I would also suggest, quite minimal: most people would understand the 'state' to incorporate both a society's decision-makers (government) *and* its bureaucracy and service provision). By this basic definition, the deliberating citizenry is essentially a component of the state – that is, it is reasonable to suppose that the state has grown to encompass civil society, or perhaps vice-versa. Does this not constitute the de-facto replacement of liberal democratic process by popularised deliberation?³² The answer, Dryzek believes, is *no*: there are many examples of a developed civil society influencing the power of the state (his examples include the impact of the political vision of Martin Luther King, alongside various other civil rights movements and protests) without being categorisable as components *of* the state.

Yet if Dryzek's vision of a deliberatively empowered public sphere only extends as far as a greater propensity to protest, to interactively recommend policy to the state, or to stand up for certain rights, then the idea of deliberation as a source of *power* or as the bedrock of democracy itself appears to evaporate. Arguably, even in the time of Martin Luther King,

³² Moreover, by such an understanding, do all binding referenda actually involve the brief explosion of the boundaries of the state to encompass society as a whole? Do revolutions or occasions where popular action has directly influenced political outcomes also constitute momentary examples of the universal state?

the most important direct political influence available to the wider public lay in voting. It may be worth remembering that President Kennedy influenced the objectives and content of Dr King's March on Washington in 1963. Moreover, and to explore a counterfactual, it is difficult to envision the successful passage of the landmark Civil Rights Act of 1964 under a notional early Nixon administration, rather than those led by Presidents Kennedy and Johnson. From this perspective, the most important basis for political change was not the influence of a burgeoning public sphere but the electoral decisions of American voters in the presidential elections of 1960: the civil rights movement as a triumph for aggregative, as well as insurgent, democratic process.

Dryzek constructs arguments that come very close to the attempted legitimisation of the prescription of a deliberatively *expanded* state. He appears to leave this option open, mentioning the possibility of public deliberation producing “workable agreements” (as opposed to outright unanimous consensus) which could, presumably, be thought of as legally binding (Dryzek, 2000, p. 170). Yet the greatest explicit commitment is to a kind of deliberatively activated civil society, attempting only to *influence* the state, communicating its conclusions through elections and possibly some other means of transmission. Is this not the kind of simple accommodation with the structures of conventional liberal democracy that Dryzek aims to avoid?

Cognitive Diversity vs. Epistemic Compatibility

The above analysis of Dryzek's theory serves to illustrate the point that, even if deliberative democracy aims to inculcate a politics of consensus that renders aggregative procedures redundant, the fact of value pluralism will require some kind of accommodation with the norms of liberal democracy in a complex contemporary society. This mirrors the example of the Occupy movement. The attempt by these activists and radical democrats to enshrine a version of consensus-driven deliberative democracy at the core of its decision-making procedures is exemplary of a potential ceiling on deliberative ambitions more broadly, one which may explain deliberative democracy's dependence on voting as a fall-back position. Simply put, reasonable pluralism – the plausibility of a wide range of perhaps-incommensurable perspectives, belonging to cognitively diverse citizens – may be inescapable within modern, complex societies, and the original objectives of deliberative democracy may not be entirely achievable given this fact. In order to incorporate those citizens who are epistemically compatible with each other to the extent that they might deliberate effectively, a deliberative democracy may

find itself being forced to exclude would-be participants who prove to be obstacles to the achievement of consensus. Under such conditions, deliberative processes will become opportunities for already pre-selected individuals to 'preach to the choir', and the achievement of consensus on some proposal or outcome will be a question of having avoided the true democratic challenge of engagement with and incorporation of 'the other'.

In the previous chapter, it was shown that the very cognitive diversity that may effectively limit the participatory reach of deliberative democracy is often used as the basis for an instrumentalist justification of democratic processes (Landemore, 2012). If deliberative compatibility does indeed come only at the expense of inclusivity, deliberation may in fact reduce whatever benefits that cognitive diversity actually produces, making the deliberative trade-off – which involves using deliberative procedures to procure a higher chance for unanimity and a better basis for epistemically high-quality participation in exchange for breadth of participation and cognitive diversity – a difficult basis for institutional reform. This trade-off is articulated, in part, by Gutmann and Thompson in their discussion of the internal debate among deliberation theorists as to the ideal scope for such participation in society (2004, pp. 31-2).

Joshua Cohen takes account of this kind of scepticism, describing it as a tension between participation and deliberation: "Expanding participation ... may diminish the quality of deliberation. ... [T]ime and resource constraints make it undesirable for any particular area of public governance to be both fully deliberative and inclusively participatory" (Cohen, 2009, p. 257). Alternatively, this tension may be understood as something of a dilemma for deliberative democrats: between, on the one hand, the prioritisation of cognitive diversity, which would arguably be best served by maximised breadth of participation, and, on the other, epistemic compatibility (used here as a term that encompasses the entire range of epistemic similarities – in terms of knowledge, reasonableness, and pre-existing meta-agreement – that would be needed to maximise the efficacy of deliberation), which would be best served by narrowing the range of participants to those who meet the established requirements of some specific conception of acceptable public reason.

There may be solutions to this dilemma. Deliberative democrats could argue that deliberative procedures are themselves the most plausible mechanism for finding an acceptable compromise, and so ensure cognitively diverse participation between citizens who are also epistemically compatible enough to make deliberation a productive process.

Along these lines, Cohen suggests a fostering of what Habermas referred to as the “informal public sphere” (*Ibid.*), which would serve to more closely align the views of the wider citizenry. What this neglects, however, is that this dilemma has been produced by what may be a zero-sum-game: by increasing epistemic compatibility, one would be reducing the extent of cognitive diversity. Cohen’s alternative solution – the abandonment of broad participation as a deliberative goal, and the use instead of an approach requiring focused, specific deliberative forums for the generation of ideas on particular issues – may be more plausible (p. 258). The most obvious escape route from this dilemma, after all, is to reduce the reach of deliberation so that the potential for epistemic compatibility is maximised. Nevertheless, this would necessarily rule out the possibility of democratic justifications based upon the benefits of cognitive diversity.

In Chapter Four, the deliberative response to value pluralism – an emphasis on public reason rather than consensus – will come under discussion. And as we shall see in Chapter Six, any formal, systematic procedure of deliberative democracy may necessarily impact upon the range of cognitive diversity (and participation in general), simply as a result of the psychological effects of non-anonymous group dynamics. Yet the theorists of this ‘strand’ of democratic theory appear to usually value both inclusively participatory and publicly deliberative approaches to democracy. In the following sections, this source of internal tension is attributed to the principled objective of an entire public attaining legitimacy by contributing to central planning, and to the assumption of plausible collective rationality that underpins it.

Can Entire Publics Design Social Orders?

An entire family of political theories rests upon the idea that an entire public is capable of overcoming the epistemic dilemma set out above (and so clearly encountered by the well-meaning democrats of the Occupy movement). In this family we may include not only many deliberative democrats, but also some classic contractualists, who believe that the legitimacy of social contracts lies in the ability for entire publics to not only consent and accede to the terms of some newly-established collective order, but to conceive of and design that social order as well (from where else, after all, could a social contract arise within the state of nature?).

Thinkers such as Hobbes and Rousseau constructed various models of political organisation around the idea of a formulating system of consent. At the core of any literal

contractualism must lie the idea that groups of individuals at some point *choose* to be governed. This act of choosing is itself a democratic moment, and creates the basis for any other democratic tendencies that follow. For Hobbes, such democratic origins can legitimise the ongoing dominance of non-democratic governments; for Rousseau, the formative democratic choice may be repeated, and can itself become the bearer of public truths that are harnessable as a system of legitimised unfreedom-as-freedom.

Both of these contractualisms form an intellectual foundation for a wider theoretical approach that believes that ends-based social and economic *design* – or at least *legitimation* – can be a collectivised enterprise. The discussion of Rousseau will introduce many of the central dichotomies of democratic theory – such as the possible zero-sum game of *scale* versus *depth* of participation, and the emergence of distinctively republican and liberal flavours of democracy. The basis of these thinkers' faith in the potentials of human reason is the entrenchment of what may best be understood as an 'Enlightenment view' on the subject, one that imagined that reason could be "conscious, universal, disembodied, logical, unemotional, value-neutral, interest-based, and literal" (Lakoff, 2009, p. 7). The implications of this Enlightenment mentality may be felt not only in the following discussion, but in the 'folk theory of democracy' and notion of 'common sense' described in Chapter Three and part of the hybrid notion of 'public reason' analysed in Chapter Four.

Hobbesian Contractualism

The scholarship of Thomas Hobbes may constitute the clearest starting-point in the articulation of this particular family of political theories. The original condition for the start of the contract-forming process that culminates in the state-leviathan is, according to Hobbes, a kind of *consummate democratic moment*: universal consensus and consent to the formation of the earliest and most primitive type of polity, which he, like many of the thinkers to follow him, describes as a 'democracy', literally understood as the direct rule of a majority of the people in a polity. Later and recognisably modern 'democratic' or 'aristocratic' (that is, representative or elite rule) mechanisms – such as majoritarian decision rules – are necessarily built upon the mandate of a founding moment of *absolute* consent (*Elements of Law*, part 2, chap. 2, para. 6 (Hobbes, 1640)). So, where later the principle that a losing minority group may still 'own' a particular democratic decision (and cannot obstruct such a majority's decision) holds true (*Ibid.*, para. 1), for Hobbes there is a prerequisite moment wherein the majoritarian principle is itself justified, and only on this

basis may all subsequent forms of polity – democracies, aristocracies or tyrannies – be considered at all legitimate.

There is little question that what we today call representative liberal democracy would be defined by Hobbes as some kind of aristocracy, and that he would think our politics all the better for this. Democracy, according to Hobbes, too closely approximated the destructive circumstances of the state of nature, rendering us vulnerable to corrupt or overweening politicians (*De Cive*, chap. 10, para. 6 (Hobbes, *De Cive*, 1651a), *Leviathan*, chap. 19 (Hobbes, 1651b)). Hobbes repeatedly argued that monarchies are reliably less susceptible to such manipulation, and indeed that a monarch's interests more closely coincided with that of the public than in democracy (or aristocracy) (*De Cive*, chap. 10, para. 13).

These beliefs – that monarchy would be preferable to democracy or aristocracy (which we might call representative democracy today) – would seem to position Hobbes as a sceptic as to the capacity for entire publics to rationally design social orders.³³ However, there is a presupposition of the possibility of such 'rational crowds' present, in embryonic form, throughout Hobbes' work. It is the simple yet historically unlikely assertion of the establishment of politics on the basis of absolute consent – predicated upon a universal agreement among individuals – that is reflected by later populist thinkers, such as Rousseau, who will be discussed below. The central Hobbesian paradigm – that centralised power is not necessarily to be feared – is legitimated by the principle of a preliminary requirement for universal consent.

Jean-Jacques Rousseau reached further than Hobbes, arguing that the aggregated views of the public are not only able to create the consensual, contractual basis for a social order, but can also be the basis for a polity's decision-making by approximating the 'General Will'. Both Rousseau's General Will and Hobbes' original moment of consummate democratic consent are founded upon the assumption of *real collective interest*.

³³ Hobbes argued – in much the same way as many of the theorists which come under consideration in Chapter 3 of this thesis – that democracies were ill-equipped for the discussion of important issues. Nevertheless, if a democratic polity were to effectively emulate an aristocracy by concentrating "deliberations about war and peace and legislation in the hands of just one man or of a very small number of men, and ... appoint magistrates and public ministers, i.e. to have authority without executive power", then democracy could compare favourably to monarchy (*De Cive* 10.15).

The General Will

Rousseau's general will legitimises majoritarian decision-making – as in his preferred format of plebiscitarianism³⁴ – by defining the *true* or *real* interests of individuals, even where said individuals, for whatever reason, are not aware of such interests. The very idea of the plausibility of an instant of universal and uncoerced agreement – for the first formation of a polity, for example – demands the existence of a public interest that is absolutely intelligible and, like Locke's natural law, undeniable upon revelation, for every original constituent of a polity must have approved the polity's creation (presumably, those who did not consent remain "foreigners" or outlaws). For Hobbes, the untenability of the human situation in the state of nature demands the solution of a collectively legitimated sovereign authority. Although Rousseau's concept of the state of nature was rather different to Hobbes', he similarly accepted that its collapse left little choice but the constitution of political authority. He then extended this idea so that, in every decision, and at every point, there is a similarly 'best outcome' for the whole polity and every citizen (Rousseau, 1762 [1987], p. 205). This 'best outcome' or *correct choice* is best understood as the publicly-motivated preferences of each individual citizen: the fact of public motivation is, according to Rousseau, *the only factor necessary to homogenise all preferences*, and he famously argues that preferences contrary to the retrospectively-recognised 'best outcome' are simply errors, or inspired by selfish sentiment: "When ... the opinion contrary to mine prevails, this proves merely that I was in error, and that what I took to be the general will was not so. If my private opinion had prevailed, I would have done something other than what I had wanted. In that case I would not have been free" (*Ibid.*, Book IV, Chapter 2).³⁵ Rousseau calls this infallible generator of preferable outcomes the General Will, and it is the role of the institutions of a polity to reflect it as closely as possible.

Rousseau distinguishes early in *The Social Contract* between 'aggregation' and 'association'. Aggregation is understood as the functional process of despotism, where individuals are "enslaved". Association, on the other hand, denotes something greater, something incorporating a "public good" and a "body politic", and not merely the "private interest" of the "private individual" (*Ibid.*, p. 147). The general will, as the aggregated

³⁴ As adduced by his explicit admiration for the political processes in Switzerland, and Geneva in particular, though there is evidence that Rousseau was also often critical of that hotbed of democracy – see, for example, Helena Rosenblatt, *Rousseau and Geneva: From the First Discourse to the Social Contract, 1749-1762* (1997)

³⁵ Note also that Rousseau has some concept of concealed, internal preferences that are potentially misrepresented publicly or during votes. Further than public choice theorists, however, Rousseau also appears to believe that such preferences may be successfully concealed from the *self*.

choices of all citizens who are choosing to align themselves with what they believe to be the public's best interest, transcends private interests and attains a possible *truth* value: it is possible to be objectively wrong when answering the question: 'what will the public say is in its best interest?', while the truth-value of responses to a question such as 'what is the best choice?' is likely subject to essential contestation.

On this basis, Rousseau expresses doubt about the legitimacy of any government that does not enjoy the *absolute* consent of its citizenry: "where do one hundred who want a master get the right to vote for ten who do not? The law of majority rule is itself an established convention, and presupposes unanimity on *at least one occasion*" (*Ibid.*, emphasis added). This mirrors Hobbes' apparent belief in an initial and absolute mandate for the foundations of the polity, though the conclusion is different: for Rousseau, merely majoritarian principles are unnatural if only because they are based upon a convention, and conventions are intrinsically artificial.

The *original* convention is the social contract, where, as in Hobbes, "[e]ach member of the community gives himself to it at the instant of its constitution, just as he actually is" (*Ibid.*, p. 151). Rousseau envisions this formalised relationship between individual and state as reducible to a single clause: "the total alienation of each associate, together with all of his rights, to the entire community" (*Ibid.*, p. 148). In Rousseau's eyes this may not be as extreme a sacrifice of personal liberty as it first appears: "in giving himself to all, each person gives himself to no one. And since there is no associate over whom he does not acquire the same right ... he gains the equivalent of everything he loses, along with a greater amount of force to preserve what he has."

Thus the original "social compact" renders individuals subservient to "the supreme direction of the general will" – but this does not matter, as each individual personally generates and subscribes to the general will: "[S]ince the sovereign is formed entirely from the private individuals who make it up, it neither has nor could have an interest contrary to theirs. Hence, the sovereign power has no need to offer a guarantee to its subjects, since it is impossible for a body to want to harm all of its members ... [t]he sovereign, by the mere fact that it exists, is always all that it should be" (*Ibid.*, p.150). Rousseau does not accept that even within his notionally totally consensual polity, the interests and approaches of private individuals will sometimes *legitimately* differ on various elements of the public interest – what Rawls or Rawlsians might refer to as 'reasonable pluralism', or this chapter (and the previous) have labelled 'cognitive diversity'. Rather, the social contract "entails the commitment ... that whoever refuses to

obey the general will will be forced to do so by the entire body. This means merely that he will be forced to be free."

Individuals are therefore both sovereign *and* associate (*Ibid.*, p.149). Rousseau's original contract is based upon the same basic understanding of a self-evidently correct course of action as Hobbes' contractualism, founded as it is upon a single, consummate democratic moment. The movement to whatever governmental forms might follow are where their accounts diverge. For Rousseau, such additional steps would, in the best of all possible worlds, be ultimately undesirable; for Hobbes, the further 'development' towards the Leviathan requires only a majoritarian framework, authorised by the original moment of consent - and such progress *is* desirable.

Gerald Gaus points out that, from any simple analysis of the general will (such as the one set out above), there are at least four different ways to plausibly interpret Rousseau's more particular claims. The first, *popular will theory*, is a mainstream understanding, held by rational-choice liberals (such as, for example, William H. Riker, whose work is discussed in Chapter Five) (Gaus, 1997, p. 143). By aggregating everyone's individual votes, we are able to discern a general will. If there are *several* wills of the people, that is, we aren't left with a single unique popular will at the end of the aggregation process, Gaus suggests that "the will of the people seems far too close to a schizophrenic personality to support a plausible theory of democracy" (*Ibid.*, p. 145). Indeed, Riker (arguing from the basis of Kenneth Arrow's impossibility theorem) suggests that it is plausible that different vote aggregation methods will produce differing outcomes from identical individual preferences; 'schizophrenic' indeed (Riker, 1982). For Rousseau, however, the potential problem of multiple general wills is a categorical impossibility: one such will must be the product of a widespread distortion or mistake.

An alternative escape route for Rousseau, according to Gaus, may be a more "sophisticated populism", one that views votes as "evidence of what constitutes the general will, but not ... itself constitutive of the general will" (Gaus, 1997, p. 146). Thus voting becomes a "reasonably reliable way to discover what is the popular will ... an imperfect procedure for identifying the general will" (p. 147). The important point is that the general will is itself never ambiguous; rather, we have some difficulty in perfectly capturing it. Gaus indicates that he finds this response to be unsatisfying, and that it seems incoherent to believe in the concept of a general will while completely accepting that we have no reliable means for its identification.

Another 'version' of the general will thesis could be labelled *epistemic populism*. This view equates the 'voice of the people' with the 'common good'. In other words, the aggregation of everyone's views will result in an answer that matches not a universal general will, but an outcome that is favourable to the polity at large. This is not to say that the general will tracks absolute truths, but rather that it does produce a true answer to the question: which option advances the common good? (p. 148). This plainly sidesteps some of the problems of the popular will theory, but one potential weakness is that the assumption that collective decisions will track the common good is dependent on something like the Condorcet Jury Theorem, where each voter is at least more-than-half likely to be accurate in their reportage of the common good. Conversely, if we only expect voters to reflect their own private interests then we accept that the likelihood of their understanding their own interests is going to be greater than their likelihood of their understanding the common good. The Epistemic Populism thesis will still work if the aggregation of everyone's individual interests results in the public interest - but how likely is this?. Gaus calls this an "invisible hand theory of democracy, according to which each person votes his individual interest and the outcome is the public interest" and concludes that it is "very difficult indeed to show that ... [voting] is a reliable way to discover the right answer" (pp. 150-151).

Alternatively, the *real will theory* version of Rousseau's general will argument moves the onus of his claims from the 'common good' to the 'common judgement', a thesis which states that individual judgements on some questions will aggregate into a general judgement (Gaus, 1997, p. 153). Here, it is best to quote Joshua Cohen's definition of the General Will (which appears to be exemplary of the *real will theory* interpretation): "A group of people has a general will if (1) the members of the group share a conception of the common good ; (2) the members regard the fact that an institution or policy advances the conception as a common reason for supporting it; (3) it is fully common or shared; and (4) the conception is consistent with the members of the society regarding themselves as free and equal" (Cohen, 1986).

This appears problematic, because an individual's reasons can point in opposite directions - for example, their private judgement may differ from their public - and their final vote may reflect a very complex settlement between these competing priorities. So Susie may share Calvin's reasons to support a given policy, but her will may differ, and thus her eventual vote may not necessarily reflect her 'real' will, if she can even possess such a thing. To put this another way: "voting for policy X does not entail the opportunity cost of forgoing policy Y. I might really think that my interests would fare much better under a

government that opposes air pollution laws, but I rather like the idea of casting an environmentalist vote. Because my vote is insignificant in determining the outcome, I can indulge my preference to vote environmentalist because I know that this single vote will not impact on what actually happens" (Gaus, 1997, p. 154).

The *public constructivist* interpretation of Rousseau appears to defuse such issues, but carries with it issues of falsifiability: from this perspective, "plausible populism can be based on a notion of shared reason rather than a common will". If we reason in a specifically public way, the public good is generated by the act of reasoning itself: "a kind of constructivism insofar as what is politically justified is constructed out of the belief systems of the citizenry" (p. 155) – in some ways, then, a Kantian understanding of the general will.

All of these interpretations naturally entail a certain idealisation of the democratic public in question. It is interesting to note, then, that Rousseau explicitly endorses a system of government which would, in modern terms, be recognisable as a 'representative democracy' – an 'elected aristocracy' – but only in grudging terms. The more obvious legitimising argument for the primacy of the 'elective aristocracy' in Rousseau's work is his suggestion that such elected officials are chosen not to *represent* their constituents, but to *administer* the implementation of the general will, which is presumably expressed through regular referenda. Thus perhaps Rousseau's representatives are not the democratic and deliberatively authorised parliamentarians and senators which we may imagine, but a voted class of *implementers* – an elected civil service. Overall, his support for the 'elected aristocracy' is founded more upon logistical concerns than philosophical. He makes much of the difficulty at the heart of any polity that is *literally* democratic (one working definition of a 'democratic society' in Rousseau's terms would be any polity composed of at least as many 'magistrates' as citizens) in relation to increasing numbers of citizens (Rousseau, 1762 [1987], p. 174).

At the heart of Rousseau's theories there remains the core belief that the state of nature entailed an innocent and functional human condition which also, by necessity or misfortune, was destined to be replaced by various contracted systems of government.³⁶

³⁶ Rousseau retained a romantic conception of simple, rural communities and their customs: "Upright and simple men are difficult to deceive *on account of their simplicity*. Traps and clever pretexts do not fool them. They are not even clever enough to be duped. When, among the happiest people in the world, bands of peasants are seen regulating their affairs of state under an oak tree, and always acting wisely, can one help scorning the refinements of other nations, which make themselves illustrious and miserable with so much art and mystery?" This belief in the

All systems of government and all associations were considered by Rousseau to be “unnatural”, and “everything that is not in nature has its drawbacks, and civil society more so than all the rest” (p. 199). He was left with the problem of attempting to approximate ‘original’ innocence via the unnatural structure of a polity - and the theory of the general will is his solution. Rousseau's preference in practical terms would always be for any system that could better encourage or manufacture consensus between citizens, for “the closer opinions come to unanimity, the more dominant too is the general will” (p. 205).

The concept of the general will, competing with other understandings, survives to the present day. If it is not the direct inspiration and bedrock for the contemporary ‘deliberative turn’ in democratic theory, then it at least shares considerable epistemological and philosophical ground with it. As Joshua Cohen suggests, deliberative participation may be able to generate at least the sense that democratic decisions are owned by all citizens, in that “members can - despite disagreement - all regard their conduct as guided, in general terms, by their own reason ... [and this] may be as close as we can get to the Rousseauian ideal of giving the law to ourselves” (Cohen, 2009, p. 253).

This allows us to be clear as to the origins of consensus-seeking deliberative democratic theory: it is the inheritor of a Rousseauian emphasis on the possibility of a collective *telos*. Jean-Jacques Rousseau's theory of the ‘General Will’ encapsulates the intellectual basis for a great deal of work in deliberative democracy (though perhaps Rousseau himself would deny any such thing, in that he viewed public deliberation as a distortion of the General Will). Many contemporary deliberative democrats implicitly view deliberation as a potential source of affirmation for something like the ‘general will’ - a venue for the unseating of self-interested or narrowly-considered preferences, an arena for the creation of unanimous or near-unanimous democratic legitimacy. Indeed, unanimity-of-choice may symbolise a kind of ideal, consummate deliberative moment.

The Scope of Deliberation

‘Deliberative Democracy’, as we have seen, is the term conventionally used to describe any democratic theory which prioritises procedures founded upon discursive reason-giving – that is, ‘other-regarding’ debate between citizens – above other procedures, such as simple vote-aggregation. Some of these theories may go so far as to recommend the

wisdom of natural behaviour, and the self-evident solutions to problems, strongly prefigures the ‘folk theory of democracy’ that is set out in Chapter 3.

replacement of voting and political representation by deliberation as the primary mode of decision-making, while others, perhaps due to the reasons suggested in this chapter, do not.

Generally speaking, evidence of the effects of deliberative participation is derived from experiments organised by social scientists or governments/civic institutions. However, this limits the scope of evidence to deliberative forums that have been formalised and systematised by organisers that are external to the process of deliberation itself. Yet this is not the only venue for deliberative activity. Such interactions also occur spontaneously (if not often under ideal conditions) as an ordinary component of living and co-existing with others within any relatively healthy public sphere.

Voluntary engagement in civil society, arguments about television news packages, pub conversations on political figures and newspaper columns, or the sharing of an opinion with the next-door neighbour are all *deliberative* moments, in so far as they may plausibly contribute to the preference-formation of the individuals involved. Such interactions could be categorised as informally or spontaneously deliberative, in that they represent an ordinary discursive or persuasive interaction between citizens even if there is no effective way to measure the influence or effect of the reasons and arguments that might be given, or of ensuring the 'fairness' of the exchange.

Unmeasurable, spontaneous, informal deliberation – if we are to accept such an ordinary phenomenon as a type of 'deliberation' at all – surely represents the vast majority of any such activity taking place in 'real politics'. If we are tempted to exclude it from our consideration, then we must be certain that we do so out of something more than exasperation that such interactions necessarily occur outside the observational range of social science, and are thus almost impossible to compare to the idealised versions of deliberation and public reason that have often been the product of our theories on the subject (Lascher, 1996, pp. 508-509).

From all this, it is clearly necessary to consistently articulate the scope of deliberative democracy, as well as to distinguish outright deliberative radicals from constitutional 'assimilators'. Many deliberation theorists have rendered distinctions or implicit taxonomies of their own (and some, like James Fishkin, have offered complete category systems). Many of these definitional assumptions are to do with the boundaries of deliberative consideration as opposed to distinctions within the concept. This thesis is partially structured around a distinction between the 'general will' deliberative democrats primarily discussed in this chapter – whose (seemingly untenable) position is that

consensus around the self-evident public interest should be the primary objective for deliberative processes – and the ‘public reason’ deliberative democrats who accept the inescapability of value pluralism and seek reasonable consensus on meta-agreed rules of discourse instead (see Chapter Four). This is not a perfect distinction within the literature: almost all deliberative democrats at least tend to understand substantive consensus as a desirable end, and even the earliest and most idealised versions of deliberative democratic theory use the concept of ‘public reason’ as one of deliberation’s central *means*, if not always as a productive *end* in its own right.

Other theorists in this sub-field offer different distinctions. A difference between ‘deliberation’ (consensus seeking) and ‘debate’ (difference seeking) is often underscored; considered ‘judgements’ tend to be ranked differently (and more highly) than mere ‘preferences’ (which anyone can have). Finally, there is the commonly assumed watershed of deliberation itself, which is not usually thought to encompass the broader milieu of *preference-formative interactions* among people generally.

Perhaps it is best to take account of the projects of those who, like Simon Jackman and Paul M. Sniderman in their paper on everyday political arguments, and perhaps also the later Habermas, understand deliberation in broader terms than the theoretically prevalent notion of some variation on an ‘ideal speech situation’ (Sniderman & Jackman, 2006; Habermas, 2006). Deliberation – interpersonal discussion as a contributing factor to preference-formation – takes place irregularly, emergently, throughout society. Given these very wide conceptual boundaries, the main distinctions within ‘deliberation’ are to do with the imposition of rules and *spheres* of operation, allowing critical scrutiny of deliberation theory which may be dismissive of the preference-formation processes of everyday, spontaneous interaction, or attempts to formalise and ‘improve’ the same.

One important distinction is between the promotion of deliberation in the *legislative* sphere, by elected or otherwise selected representatives, and that targeted at the *public* sphere, with the intention of the deliberative process encompassing the wider public and extending beyond the scope of professional politics – can be read as a recapitulation of the central questions raised by Dryzek, as discussed above. As Habermas came to argue, “a discursively structured public sphere” ought to be only one political tier, informing and legitimising “representative bodies for deliberation and decision-making” (Habermas,

2006, p. 182). It can also be seen as invoking an alternative approach to older questions of democratic representation, specifically the trustee/delegate debate.³⁷

If deliberation (or, indeed, the authority to deliberate in a meaningful and binding way) is seen as the driving force of democratic politics, then the concentration of deliberative *entitlement* – i.e., the issue of who is able to deliberate in an influential or binding way – leads to a simple re-voicing of the dispute over the concentration of agency in democracy itself. To emphasise deliberative processes in a legislative setting (on the basis that they, for example, improve policy-making) is relatively uncontroversial; to theorise the basis of the conscious development of a deliberative *citizenry* is not only controversial but raises serious questions of practicability.

Another source of distinction within theories of deliberative democracy could lie between, on the one hand, *emergent* deliberation (spontaneous property of interacting individuals and groups, particularly those with a modicum of knowledge relevant to issues under scrutiny), and rationally structured, formal approaches.

The *informal* type of deliberation is impossible to legislate for, though it may be promoted by public education programmes or certain requirements of expertise before passage into the legislative sphere. Very few theorists have considered emergent deliberation to be outright undesirable, and indeed it would seem strange to 'oppose' such a natural component of human life. Intriguingly, as briefly noted above, Jean-Jacques Rousseau is one thinker who appears to oppose informal deliberation in principle. His binding concept of the General Will may be "always right and always tend toward the public utility", but it could nevertheless be distorted by the "deliberations of the people", leading to disagreements between the (naturally infallible) General Will and what he referred to as the "will of all", or the generally expressed preference of the majority which is nevertheless fallible. Rousseau explained: "We always want what is good for us, but we do not always see what it is." In other words, informal deliberation takes the blame for the visible fallibility of collective human decision-making within Rousseau's theory – humans are capable of self-deception and of the unwitting deception of others. Only as non-

³⁷ The distinction between trustees and delegates is an important one in democratic politics that places the onus upon representatives rather than publics themselves (as is the case in almost all contemporary liberal democracies). Edmund Burke famously made the case for representatives-as-trustees, preferring the idea of autonomous and well-qualified elected politicians making decisions in line with their understanding of the wider interests of a whole polity rather than the specific interests of their constituency, which he viewed as narrower and more sectional (Burke, 1774). The distinction has been made more nuanced, and more granular, by various contributors to democratic theory (Pitkin, 1967; Mansbridge, *Rethinking Representation*, 2003).

deliberative *monads* can this distorting effect be minimised, or the public may be “tricked” (Rousseau, 1762 [1987], p. 155).

Generally, however, it is the idea of a systematised or *formalised* deliberative process – or deliberation that is bound by certain rules – that may be considered controversial. Deliberation among representatives is already usually considered to be rules-bound. However, the imposition of specific rules (and objectives) over the otherwise naturally-occurring deliberative processes of the public sphere is the specific ambition of many. It is implicit in the 'reasonable actor' conditions imposed by Habermas – that a deliberator must be other-regarding and reason-giving – for this would be to rule out a whole swathe of possible deliberative interactions, or to categorise such interactions as something *other* than deliberation. Meanwhile, the deliberative experiments conducted by James Fishkin and others use professional systematising structures to keep deliberation in order, and on-topic: moderators are employed, time-limits imposed on speakers and issues, and more.

The vast majority of scholarship on deliberative democracy is primarily interested in either legislative deliberation, or the implications of expanding deliberative democracy so as to be more *literally* demotic, and so incorporate non-representatives and the general public into formalised deliberative procedures. As this chapter has argued, the objective of outright consensus may be unattainable, and this issue pertains in both legislative/representative settings and public forums. However, both of these deliberative venues exclude the possibility that the most significant types of deliberation take place in informal settings, without the expectation of rendering binding decisions or of the approximation of consensus or publicly reasonable agreement on the terms of the discussion at hand. To understand this informal, emergent realm of public sphere preference-shaping as a type of deliberation throws a different light upon the formalised theories promoted by some democratic theorists.

Such deliberation, divorced of epistemic requirements, could be said to be currently in operation throughout any contemporary 'public sphere', and any preference-forming discussion of political questions. As a result of its spontaneity, informal deliberation of this sort can operate on the basis of unchallenged mistakes, errors and biases, and perpetuate these epistemically undesirable features of discussion (the likelihood of such features may become more clear over the course of the discussion of public ignorance in Chapter Three).

Yet the product of unregulated and informal deliberation may have value with respect to some kinds of problem. When Cass Sunstein refers to the old concept of the 'wisdom of

crowds', under this view he is in fact describing an aggregative reading of the products of such deliberation. The median of a large number of guesses as to the number of beans in a jar (to adapt one of Sunstein's examples) is likely to be more accurate than the *formally* deliberated judgements of one jar expert and one bean expert. This effect may apply up to the point that genuine expertise is called for – a crowd would likely be incapable of judging the number of atoms in one bean, for example (Sunstein, 2006, p. 36). Simply aggregated public responses to questions therefore carry an intrinsic utility, and this utility tends to increase given both a) the simplicity of the question under consideration and b) higher numbers of respondents.

The interactions between the 'chattering classes' or 'intelligentsia' – newspaper columnists, magazine editorials, well-read blogs, correspondence societies, petitions and pressure groups – are generally considered to be components of a 'healthy democracy', and arguably contribute to this posited type of informal deliberation, as well as any discussion with political preference-forming implications, whatever its setting and no matter the contextual or personal biases of the interlocutors. Individuals will likely tend to discuss their voting intentions, for example, with other individuals who are geographically, demographically and intellectually close to them, which would probably have implications for the strength of justifications of democracy that are based upon the desirable properties of cognitive diversity.

From the perspective of the orthodox deliberative democrat, of course, these kinds of preference-shaping and preference-forming activities cannot be understood in terms of deliberation. A vibrant and well-educated public sphere may produce some of the benefits of deliberation, but cannot possibly embody the most important of them: the public sphere and civil society constitute a starting point, from which deliberative practices can only be improved. Ironically, as this chapter has shown, the recent history of deliberative democratic theory shows the decline of idealism, and very often the effective or implicit endorsement of marginally improved versions of contemporary public spheres.

Rules systems are an ordinary part of the kind of deliberation that takes place between representatives or legislators in liberal democracies, within governments, administrations and legislatures. Deliberative processes here are formalised: discussions have chairs or moderators, take place within time-limits, are malleable by specific rhetorical rights or techniques, and are always ends-oriented (a legislature debates a specific idea or measure, but does not tend to engage in preference-forming discussion without theme). There is a sense that formal processes are strongly appropriate for the ruminations of state and

government, where there are external considerations such as public scrutiny, systemic efficiency and equality of engagement to take into consideration. However, the rules of legislative deliberation do not often reflect the expectations of deliberative democratic theorists, with no particular requirement for the framing of reasons that might reasonably be expected to be accepted by others, no particular interest in the achievement of consensus, and, arguably, a strong emphasis on serving as a venue for public position-taking so as to serve the political interests of legislators (Mayhew, 1974). There is cause for real doubt over the efficacy of most legislative deliberation in inducing reasoned preference change in participants. To take just one example, Judith Bara *et al.*'s exhaustive analysis of several decades of the UK Parliament's deliberations on abortion rights appears to reveal that only *one* representative changed their mind over time (Bara, Weale, & Biquelet, 2007, p. 588).

Deliberative democracy of the popular, formal sort, meanwhile, entails the exportation of the formalised deliberative processes common in legislative settings to the public sphere. In addition, such deliberation is intended to incorporate stringent epistemic requirements on the part of participants, usually framed in terms of a particular notion of 'public reason', and is at least theoretically intended to rule out the need for aggregative procedures altogether by attaining consensus around the self-evident best interests of the public. Such deliberation could include an attempt to moderate otherwise-spontaneous public debate, limit, expand or proportionalise the domain of its participants, or to articulate consensus-seeking as a public good. Any experiment involving formalised public debate, such as those carried out by James Fishkin, falls into this category, as does the society-wide 'deliberation day' concept that he espouses.

The formalisation of spontaneous public debate is often viewed in terms of the harnessing or activation of a usually dormant source of political legitimisation and societal problem-solving, just as Dryzek or Habermas view the essential desirability of a proactive public sphere and, at least by implication, leave open the possibility of mechanisms that may render the results of public deliberation legally binding. A formalised process of public deliberation can only represent a centralisation and institutionalisation of the everyday, organic processes of deliberative interaction which constitute a part of the public sphere and preference-formation within any democratic context.

Thus characterised, the project of formal public deliberation can also be understood as fulfilling some ambition of 'regulating' such automatic discursive behaviours. Rousseau deploys the argument that the general will can only be assured of representation in

individual votes where voters are isolated from one another in their decision-making. This is, in effect, the statement that the broader citizenry cannot formulate its own decisions as to the public good when potentially influenced by the misguided distortions of others with 'private interests'.

Conclusion: Design vs. Emergence

This chapter has established the existence of an epistemic dilemma for democrats, and for deliberative democrats in particular. For democracy to work well, it makes sense to impose some epistemic requirements on participants, but in so doing, democratic procedures are less likely to benefit from the advantages of cognitive diversity. This was exemplified by the necessity, even in a small and homogeneous 'public' such as that which comprised the Occupy movement, of excluding some would-be participants in order to attain deliberative consensus. In the face of this dilemma, deliberative democrats and classic contractualists implicitly argue that whole publics are nevertheless able to rationally design social orders. Hobbes at least thought that collective rationality of this sort was possible at the legitimating moment of universal consent that initiated the establishment of the state; Rousseau argued that collective rationality was routinely plausible, as the basis for the 'general will', a concept which in turn informed the development of deliberative democracy. This paved the way for a more detailed consideration of the various types of deliberative democracy, calling into question the tendency of the current literature to treat deliberation as a unitary phenomenon.

The difficulties of justification and epistemology set out in the first two chapters of this thesis call for the introduction of a new, clarificatory typology of democratic theories. The core dimension by which democratic theories are distinguished should be epistemological, and based on their differing responses to the question of the plausibility of collective rationality. All theories of democracy must necessarily incorporate, either explicitly or implicitly, their own particular perspective on the origins of social order and the plausibility and efficacy of rationalistic central planning by individuals or whole societies. These differences can provide the key distinctions between various theories of deliberative democracy (and democracy more generally). Following from two chapters which have chiefly been concerned with setting the scene of contemporary democratic theory in two key regards (the justification of democracy and the possibility of collective rationality), the following typology established the ground for all of the remaining chapters in the thesis.

Taking as our basis the importance of presuppositions about the epistemic reach of individuals and groups leads to the following three-part typology of democratic theories:

- *Type 1: Collectively Rational Social Design is Possible (Rousseauians)* – a perspective that is oriented around the basic belief that collectives and groups are capable of rationally structuring and designing social orders – and, indeed, that such publics, under the right circumstances, will produce *preferable* social arrangements and outcomes than elitist approaches. This tendency would inform a preference for more direct and participatory forms of democracy, for deliberation and republican standards of public reason, and for whatever social arrangements might best maximise both the cognitive diversity of a given society and the probability that an eventual decision would be unanimously acceptable to a collective (thus necessarily incorporating the epistemic dilemma described in the first half of this chapter).
- *Type 2: Social Design by Epistemic Elites is Possible (Platonists)* – where the basic premise of *designed* institutionalism is accepted, but the idea that such rationalisation can be the product of a larger group than a certain narrow elite or epistemically advantaged group is thought to be impossible. This tendency will emphasise social arrangements that are representative or liberal-democratic at most, whenever democratic mechanisms have proven to be productive of a meritorious system of government, but could also conceivably lend itself to wholly non-democratic institutional arrangements such as meritocratic oligarchies or epistocracies.
- *Type 3: Rational Social Design is Impossible* (let us call these *Hayekians*) – the belief that ends-driven rationalism is undermined by various human epistemic inadequacies, and attendant *coordination problems*, on both an elite and popular level. Rather, societies should be defined only by institutions and whatever limited set of laws have been instituted for long enough to have failed, if they were likely to do so, and to specialise so as to fit well with the specific requirements of a certain cultural and political context. Reforms should be piecemeal, and individual freedom would be best realised through participation in various ungoverned venues for spontaneous order rather than through self-expression and citizenship in a developed public sphere.

While I do not propose to particularly endorse any of these strands of democratic thought, it is worth noting that the general tendency here will be to argue that the theories

produced by ‘type 1’ (Rousseauian) thinkers are often productive of unreasonable expectations of would-be participants, whether they result in a naïve view that prioritises the achievement of rationalistic consensus in order to capture the ‘general will’, or whether they accept the inalienability of value pluralism and specify procedural epistemic qualifications in line with a concept of public reason (see Chapter Four). Similarly, ‘type 2’ (Platonist) theories will tend to have a realistic (or even pessimistic) perspective on the epistemic capacities of the average citizen, and use this as a basis to argue that they *cannot* meet a certain set of epistemic expectations (see Chapter Three). The upshot of both Rousseauian and Platonist perspectives is a necessary narrowing of the participatory franchise, and this could have undesirable, unforeseen consequences for the larger social order.

This is not to say that this project will proceed to embrace ‘type 3’ (Hayekian) theories in an uncomplicated way. This line of reasoning is also problematic, not least in that it may not implicitly recommend democracy as the primary mechanism of social organisation *at all*. Additionally, the alternative mechanisms of institutional ordering offered by Hayekians – of emergent and spontaneously-ordered complex systems – require their own justificatory standards. Yet, to approach again the final arguments of the previous chapter (and somewhat pre-empt the arguments that will be offered in the conclusion of this thesis), the fact that confidence in democracy produces grounds for such confidence to be justifiable is not a designed but a spontaneous product of a particular folk theory of democracy: the same folk theory that underpins and informs the concepts of the general will and possibility of a rationally constructivist general public. Though this folk theory, and the confidence it produces, is arguably the product of suboptimal levels of knowledge and rationality in democratic citizens, the order that it generates *is* valuable and should not necessarily be subject to deliberative or Platonist efforts at reform. Just as Hayek and Oakeshott cautioned that certain irrational-seeming customs, institutions, or rules may actually embody evolved wisdom and therefore should not simply be uprooted by ‘rationalists’ whose comprehension of the functioning of the social order is necessarily less complete than they imagine, so this thesis argues that, even if the usually-cited advantages of democracy are myths, they may yet be *productive* myths.

By exploring Rousseauian, Platonist and Hayekian theories of democracy in the following chapters, this thesis will further clarify the argument set out in the previous chapter that aggregative democracies with broad-but-shallow participation carry with them some important consequentially (and not necessarily *instrumentally*) valuable advantages. In Chapter Three, Platonist and Hayekian arguments-from-ignorance will be set out and

critically considered; in Chapters Four, Five and Six, we will return to the Rousseauian theories of deliberative democracy, and their underpinning notion of public reason.

Chapter Three: The Problem of Ignorance

There is a cult of ignorance in the United States, and there always has been. The strain of anti-intellectualism has been a constant thread winding its way through our political and cultural life, nurtured by the false notion that democracy means that "my ignorance is just as good as your knowledge."

-- Isaac Asimov, Article in Newsweek, 21 January 1980

Summary

This chapter engages with the growing body of literature providing evidence for, and drawing normative and policy prescriptions from, the ignorance of voters. Having established the empirical fact of widespread public ignorance, the chapter moves on to consider its ethical implications, specifically whether such ignorance, when widespread, constitutes an argument either against democracy itself, or in favour of some revised version of representative democracy. I will outline a 'folk theory' of politics, based on two overlapping and popular assumptions: that voting is an ethically important activity, and that political problems can have simple solutions. I argue that this intuitive understanding of democracy gives rise also to a certain understanding of what the epistemological capacities of voters ought to be: a folk theory of participation. The chapter proceeds to a sustained analysis of several responses to the problem of ignorance which may, broadly, be categorised as 'Platonist'. I dispute these arguments and argue instead for a representative system based upon a universal voting franchise, thus vindicating the conclusions, though none of the premises, of the folk theory of democracy.

The Folk Theory of Democracy

Two overlapping questions – of whether it is important to vote, and whether most citizens are fit to be voters – carry a longstanding significance for democratic theory. Intuitively, most people tend to think of voting as being rather important. Evidence from political science has tended to contradict this view; individual votes are only rarely significant, and in fact it is something of a mystery why voting remains relatively widespread among the citizens of representative democracies (Downs, 1957), and it is not at all surprising, given the lack of efficacy in voting, that citizens should choose not to educate themselves. Nevertheless, the value of democracy plausibly survives the fact of ‘rational ignorance’. As Russell Hardin has put it, "[t]he argument from rational voter ignorance does not show that all things considered, democracy is a bad political system that should not be established or sustained. One expects democracy to work poorly and to be a poor tool for generating just laws and social policies, but perhaps all feasible alternatives to democracy would expectably perform even worse" (Hardin, 2009, p. 202).³⁸

In addition to the common assumption that voting is *important* and therefore a matter of *duty*, there is a widespread belief – highlighted by Jeffrey Friedman, among others – that political questions, even if they appear complicated, are actually reducible to very simple principles; that there is a *common sense* solution to many of the problems that politics and politicians are meant to address, even if evidence from social science would suggest otherwise (Friedman, 2007; Friedman, 2014). Karl Popper described this as a tendency toward “rationalist optimism”, a doctrine that can be found within Enlightenment philosophy as well as the presuppositions of the general public:

[T]hough error is something that needs to be explained (by lack of good will or by bias or prejudice), truth will always make itself known, as long as it is not suppressed. Thus arises the belief that liberty, by sweeping away oppression and other obstacles, must of necessity lead to a Reign of Truth and Goodness ... [an] important myth which also may be formulated: ‘Nobody, if presented with the truth, can fail to recognise it’ (Popper, 1954 [2008], p. 468)

A number of questions arise here: What is necessary in voters? Beyond this, what is desirable? Should the voting public be expected to have a fairly sophisticated

³⁸ Indeed, Russell Hardin argues in his essay on ‘Ignorant Democracy’ (2006) that voter ignorance is not only rational, but *moral*. By expending their time and potential expertise elsewhere, instead of preparing as best they can to improve the quality of their votes, citizens are able to do other things that are far more morally praiseworthy and potentially influential (Hardin, 2009, p. 235).

understanding of the way their political institutions work? Should voters be able to tell the policies of one political party from those of another? Be informed enough to have come to some opinion on the bigger policy questions of the day? Should we expect voters to be minimally rational – to be relied upon not to contradict themselves – or minimally publicly reasonable, capable of convincingly justifying their preferences to one another?

One spectre that can be laid to rest immediately is that of wholly self-interested democratic participation. In fact, a large body of evidence suggests that voters tend to formulate their preferences *sociotropically* – that is, targeting their own interest as a part of the wider public good, rather than in contradiction of it (Kinder & Kewiet, 1981; Sears & Funk, 1990; Lau & Heldman, 2009). What generally comes under scrutiny over the course of the literature discussed in this chapter is not whether citizens attempt to vote in line with the wider public interest, but whether they are epistemically limited to the extent that they are unable to approximate the public good *even* when they try to.

The two intuitive views outlined above – that voting is important and that political problems can be easily solved, or have gatherable answers – seem to circumvent questions of epistemic capability or motivation. The intuitive view is worthy of more detailed consideration, particularly in terms of the resulting understanding of what voting is, and what attributes good voters ought to embody. Together these understandings form a ‘folk theory of democracy’, which one might compare to Jason Brennan’s ‘folk theory of voting ethics’ (Brennan J., 2012, p. 3).

The folk theory of democracy incorporates the view that democracies work best with large-scale participation. This is because the problems that could be addressed by politicians often have self-evident solutions, and voters are imagined to be well-positioned to choose politicians that are likely to resolve their problems in a desirable way. This kind of view, as Friedman (2005) points out, may be derived from the conflation of ideological perspectives and ‘facts’, and may result in the strange situation of two voters, with very different ideas of the ‘right’ thing to do about a given problem, and voting for two completely different political parties, both agreeing on the desirability of a more engaged, more frequently voting electorate and a political class more responsive to the opinions of the *demos*. This is a phenomenon recognised within social psychological literature as a *false-consensus effect*, wherein each person imagines that their opinion is so obviously right as to be widely-shared by all but the entirely wrong-headed (Bauman & Geher, 2002).

In the folk theory of democracy, the validity of democracy is weakened by lower voter turnout on election days, and the primary indication of a citizen's incapacity for voting is that citizen's failure (or refusal) to vote. The presumption is that, with a little more education or a touch more political engagement, citizens will grasp upon the 'facts' of a given political circumstance and vote – naturally, for the 'right' party. This is redolent of the Rousseauian perspective introduced in the previous chapter. After all, if all citizens are capable of understanding political truths and approximating them with their votes, then all citizens would also, in the best circumstances, vote unanimously for a single party, or coalesce independently around the same alternative. There is little space for a concept of reasonable pluralism within the folk theory of democracy.

The folk theory of democracy is not limited to actors in the informal public sphere. Journalists, politicians, and academics also often deploy such arguments. Many endorsements of contemporary liberal democracy incorporate something very like the folk theory of democracy. George Soros, for example, while setting out the potential for corruption in democracy, seems to operate from the stance that politicians' attempts to be appealing to voters can only ever be manipulative, and that voters, under ideal circumstances, would be able and motivated to select candidates and options in line with some concept of the public good (Soros, 1998, p. 200). Michael Sandel's promotion of a "politics of the common good" operates from the basis of similar presuppositions. Because all political judgements and conceptions of justice require moral committedness beyond simple liberal neutrality (Sandel, 2009, pp. 246-260), Sandel argues that contemporary politics should move to actively reflect moral stances that he thinks are self-evidently preferable to their alternatives: limitations on the scope of market influence, active economic intervention to reduce inequalities, and so on (pp. 261-269).

These accounts highlight some of the attributes which, intuitively, the folk theory indicates we might wish to find in a voting public. Principally, it carries the following assumptions: that in order to elect a representative that serves their interests, voters should at least have a notion of what their best interests are, and how they might best be promoted (or, perhaps more importantly in a representative democracy, *who* they think would be best positioned to promote these interests). The folk theory of democracy takes little account of the scope or scale of interest: it is assumed that the personal interest will coincide with the public or the national interest, and – perhaps most importantly of all – *that there is a possible vote that can at least approximate the support of this general good*. This is to say simply that the options available to the voter are representative of a range of plausible

political ends, and that there is no desirable end that falls outside the range of candidates/alternatives/choices as presented to the voter.

The general premise that every citizen is able to reason to an extent that is sufficient for understanding political issues, and to act virtuously and in the public interest on the basis of such understanding, may also be understood in terms of an appeal to *common sense*. This concept has formed an important component in political scholarship since the Enlightenment, based on the idea that some ideas and beliefs are self-evidently 'right'. Thomas Paine's pamphlet *Common Sense* is only the most famous example of such an appeal to self-evident truths and popular reason (Paine, 1775 [1995]). Hannah Arendt also believed that some notion of common sense was a central basis for democracy: the set of beliefs that could be justified as common sense would also necessarily be communicable and publicly reasonable (and thus highly relevant to the discussion of public reason in Chapter Four) (Arendt, 1982, p. 75). Arendt offers common sense as a basis for shared understanding and political action: "Common sense ... discloses to us the nature of the world insofar as it is a common world; we owe to it the fact that our strictly private and 'subjective' five senses and their sensory data can adjust themselves to a non-subjective and 'objective' world which we have in common and share with others" (Arendt, 1968, p. 221). Sophia Rosenfeld establishes common sense as a powerful rhetorical construct, an appeal to obvious realities that are often actually radical claims in themselves (Rosenfeld, 2011). Without some underpinning belief that the common sense of ordinary citizens is equal to any potential public problem, democracy would be hard to justify.

The overlapping presuppositions that form the basis of the folk theory of democracy might also be understood by social psychologists as elements of "naïve realism", which amounts to the generic belief that intuitively ascertainable truths exist, and are simply reflected by one's own ideas: that external truths are unproblematically mapped by whatever we happen to believe about them (Ross & Ward, 1996). The failure of others to concur with the beliefs of an individual who is naïve in this way can only be explained by some combination of the following: differences in knowledge (so that the pooling of information would improve the probability of agreement), differences in rationality (i.e. that 'those who differ with me are less rational than myself'), or differences in bias (i.e. that 'those who differ with me are influenced to disregard truths by self-interest or ideology') (Ross & Ward, p. 111). These "tenets" give rise, on one hand, to a "false consensus effect", which biases individuals to assume that their choices are more normative and popular than is necessarily the case, and on the other, to increases in social enmity as individuals attempt

to explain the instances of disagreement and moral pluralism that they do encounter (p. 117).

The folk theory of democracy therefore inherits some evidential weight from psychological theories about naïve realism, and extrapolates these findings into a widespread, normative understanding about the ethics and value of democratic participation (and, in particular, voting).

To summarise this folk theory of democracy in brief:

1. Voting is ethically important, and there exists an ethical obligation for citizens to vote.
2. Voting well is preferable to voting badly, and voting badly is preferable to not voting at all.
3. There is always an objective ranking between democratic alternatives, and this ranking is self-evident to human reason.
4. Voting well therefore involves an understanding of the ‘facts’ of the political situation, such that the voter can determine the best vote: that which best serves their own *and* the public interest.
5. The best possible candidate or choice may plausibly not be represented in a given ballot, but there is always a candidate or choice that allows the good voter to make the most desirable, ‘better’ vote, and so at least approximate the real public interest.

Perhaps understandably, the popular understanding of the value of democratic processes which I have reduced to a ‘folk theory of democracy’ is often criticised by academics, and very often on the basis of a critique of statement four, above. A consensus has emerged around a large (and growing) body of evidence that the average voter in a representative democracy is extremely ignorant of the ‘facts’ of their political circumstances. If the value of votes is contingent on the voters’ knowledge and understanding, then should we not re-assess our esteem of democracy in the face of self-evident, general, and often radical public ignorance? It is worth substantiating this claim of widespread and profound political ignorance among citizens.

Evidence of Public Ignorance

The issue of literal individual ignorance – and its implications for public deliberation – has been explored academically in some depth. Much of this literature simply compares the stated ideological stances of citizens with their actual political behaviour or beliefs, and finds a significant gap: for example, as Hardin reports, "since polling began in the 1930s, about a fifth of U.S. voters call themselves conservatives and vote accordingly but take liberal stands on major issues" (Hardin, 2009, p. 231).

It may be instructive to engage with evidence of public ignorance from beyond the usual scope of political science, however. A great deal of existing research deals with the extent of public understanding of science – for example, to what extent the average person commands a broad understanding of scientific terminology, scientific procedure, or generally-accepted scientific 'facts' (Mooney & Kirshenbaum, 2009). This kind of knowledge may be considered a good indicator of public ignorance more generally, and of political ignorance in particular. Any policy area that is informed by scientific evidence will necessarily require some understanding of that evidence of citizen engagement with the policy is to be desirable; moreover, a general ignorance of science may be indicative of non-engagement with technical information of whatever sort. The evidence implies a significant level of public ignorance of scientific information and processes. Scientific terminology represents a central area of concern: to take one example, more than 70% of British people "do not understand" what 'UV' (*ultra-violet*, as a description for a certain spectrum of radiation) stands for – whether it should be avoided, why it is sometimes included in weather forecasts, or the general concept of a 'UV index' (Ungar, 2008). This is particularly troubling considering that public ignorance seems to persist even when considering the question in what should be a familiar context, and regarding information that has relatively high levels of importance and salience to personal welfare. More broadly, surveys from the 1990s indicate an extraordinarily large scale of scientific ignorance: in one case, the British public was found to be "scientifically illiterate" in 85% - 95% of cases (Shamos, 1995).

In the related set of policy areas with a strong scientific evidence-base, recent research sheds some light: nearly half of US citizens (46%) think that 'cap and trade' is something to do with health-care or financial regulatory reform (when it is in fact a significant policy response – allowing businesses to 'trade' carbon – output allowances – to industrial carbon production as a causal factor in anthropogenic climate-change) (Somin, 2010, p. 258).

Many surveys focus on the state of political or citizenship education, and question the extent to which our educational systems 'prepare' young people for civic engagement in adulthood. A great many empirical findings in this area are thus focused on school leavers and young adults - for example, findings that 77% of British 18-year-olds cannot reliably differentiate between the policy platforms of mainstream political parties. When the survey is limited to those who have completed A-levels in politics, this figure only improves to 50% (Denver & Hands, 1990).

Some of the most startling indications of political ignorance among democratic citizens originate from the USA. Sometimes these are illustrative of a fundamental lack of engagement with ideological difference or the contents of important political documents (for example, 35% of the American public thinks that "from each according to his ability, to each according to his needs" is a line from the US constitution, while another 34% think that it might be (Somin, 2010, p. 258), to simple errors in highly-charged contemporary politics (as when 52% of US citizens think that federal taxes have increased during the Obama administration, when in fact they had, at the time of survey, been significantly reduced (Przybyla & McCormick, 2010). Strange public beliefs about the Obama administration – and about Obama himself – go further: quite apart from the ongoing belief among large swathes of the US public that Obama is a Muslim, or not eligible to be President due to his place of birth, as many as 8% of Americans report that they believe that Barack Obama is the Antichrist, a figure which becomes more shocking when one notes that it is inclusive of 5% of self-identified *Democratic Party voters* who think that Obama is Satan (Brennan J., 2012, p. 10).

Other evidence suggests that the general public is far more interested in trivia and personality than actual questions of policy. For example, in 1992, 86% of voters knew the name of President Bush's family's dog, while only 15% of the same respondents knew that both Bush and Clinton supported the death penalty (Bovard, 2005, p. 14).

89% of voters cannot identify the Chief Justice of the Supreme Court, and 91% don't know who the senate majority leader is (Somin, 2000). 50% of Americans "think the Democratic party is more conservative politically than the GOP, or don't feel they know enough to offer a guess", while "almost half of Americans" believe that the President has the power to suspend the Constitution (Bovard, 2005, p. 13). And there is little evidence to suggest that this is a recent or emerging issue – in fact, evidence of political ignorance has been available since researchers first started looking for it. To give one example, in the midst of

the Cold War, 62% of US citizens thought that the Soviet Union was a member of NATO (Somin, 1998).

A 1999 Gallup poll designed to measure the state of ‘general knowledge’ in the USA also yielded startling results, some of which are more pertinent to the question of political understanding than others. For example, just under a quarter of US citizens were unable to identify Great Britain as the country with which America fought for its independence. Knowledge of basic science was once again shown to be questionable, with 18% of those surveyed believing that the sun orbits the Earth, rather than vice-versa (the picture in the UK was reportedly worse, with 33% of people either giving the wrong answer or claiming to have “no opinion” on whether the Earth revolves around the sun or not) (Crabtree, 1999).

More recently, a survey of the British public for the Royal Statistical Society shed light on some common political misconceptions, most of which indicate a kind of pessimistic bias – an assumption that things are much ‘worse’ than they really are – among the general public. For example, the 1,015 people polled believed that 24% of benefits payments are claimed fraudulently – when the reality is that less than 1% are. Similarly, 15% of girls under the age of 16 were thought to become pregnant every year, when the actual figure is around 0.6%. 29% of those surveyed thought that ‘Jobseekers’ Allowance’ – a welfare benefit provided to people who are in the process of trying to find employment – is more expensive to taxpayers than funding state pensions, when the latter costs about 15 times more.

58% of respondents did not believe that crime rates were falling, and 51% stated that violent crime was becoming more commonplace, despite the fact that rates of both violent and non-violent crime have been falling quite steadily for decades. There was also evidence of a significant shortfall of knowledge regarding immigration and national demographics. Around 31% of the British population is imagined to consist of “recent immigrants”, when the figure actually lies between 13% and 15%. Those surveyed also thought that Britain was more ethnically diverse than it is in reality, stating that black and Asian people constitute “up to 30%” of the population while the real figure is 11% (Duffy, 2013).³⁹

³⁹ Ilya Somin (2010) and Richard Posner (2003) have used some of these empirical findings showing the extent of public ignorance as an argument against the possibility of a deliberative democracy. In other words, people tend not to be able to meet the knowledge-requirements imposed by deliberation theorists, and indeed would not meet whatever intuitive expertise

It should be noted that evidence of widespread and significant voter ignorance does not appear to directly contradict the folk theory of democracy. Certainly the folk theory would seem to suggest that there are self-evident responses to complex-seeming political problems, and that these are gatherable by citizens – yet this may even coincide with the views of the academics and others who point out the ignorance of voting publics. The rather similar implication of a project that highlights the ignorance of voters would seem to agree with the folk theory: that voter ignorance is avoidable, and that less ignorant voters would be preferable. Yet a critic of the folk theory of democracy need not focus on voter ignorance; they could also question the value of voting *in itself*. Without this, the folk theorist can still claim that mass participation in democracy is valuable, even in the face of ignorance.

Thus it is in the interpretation of the evidence of public ignorance that we might find a contradiction to the folk theory. What exactly are supposed to be the risks of public ignorance?

The Dangers of Ignorance: Bovard, Lecky and Caplan

At least intuitively, it seems right that voters should have some minimal standard of awareness or intelligence about political and/or economic questions. Concerns raised by the apparent lack of awareness and intelligence among voters would then likely lead to an argument in favour of a good minimal standard of political education. This chapter will later consider whether there is an educational or exclusion-based ‘solution’ to the problem of voter ignorance. Yet to justify the (very common) search for solutions, we must first establish not only that ignorance exists in voting publics, but also determine why the existence of ignorance could constitute a problem.

What problems could be generated by the established fact of public political ignorance? Is it possible to assert that ignorance is only perceivable relative to some unreasonable pre-existing ideal standard, and that democracies are regardless robust in the face of non-expertise – capable of generating non-arbitrary and consequentially valuable outcomes as

standards we would expect to put in place as the basis for sound policy-making and political judgement. Robert Talisse rejects these claims in his article *Does Public Ignorance Defeat Deliberative Democracy?*, arguing that ignorance in these terms does not equate with an individual's *incapacity* to accrue relevant knowledge or a command of politically valid information (Talisse, 2004, p. 459).

they aggregate whatever kind of preferences are presented to them by a public? Or is ignorance undesirable on something more than an intrinsic level? Could ignorance underpin the domination of minority groups and elite capture, or foster intolerance or extremist opinions in wider populations (Olson Jr., 1971; Issacharoff, 2008)? Perhaps we ought to be concerned as much with the ethics as the consequences of ignorant voters, as Jason Brennan suggests in a recent contribution to the literature (Brennan J. , 2012). Yet the ethical significance of bad voting must to some extent be founded on the extent to which 'bad' votes are able to negatively impact on a wider polity.

From the outset it is important to distinguish between arguments about the dangers of voter ignorance, and arguments that appear to be targeted against democracy (or state actions that are supposed to be legitimised by democratic processes) in principle. James Bovard, for example, appears to cross this line at several points in his discussion of democracy, for example when he writes that, because of the apparent mandate generated by elections, "[p]eople are taught that, thanks to democracy, coercion is no longer dangerous" (Bovard, 2005, p. 255). This risk seems to be associated with the existence of a democratic process rather than any specific argument about the epistemic quality of the votes that are cast within the system. For Bovard, state coercion would presumably still be 'dangerous', even if that state were structured around an epistocracy or all voters were educated to the point of expertise in matters political and economic. Bovard's principled complaint is not concerned with ignorant voters so much as the strength (or existence) of the state itself. This perspective may consonantly result in an argument against the idea of government in general, rather than an argument about the boundaries and epistemic requirements of democratic processes.

None of this excludes the validity of Bovard's other arguments. He encapsulates the view that public opinion may be more easily manipulated, bought, or cowed into submission when it is relatively uninformed. For Bovard, the primary resultant risks appear to be those of intrusive 'big government' or costly and unnecessary foreign intervention and war. These undesirable outcomes (which, according to Bovard, are self-evident) are made more likely because the politicians' rhetoric is simply more persuasive to the ignorant voter (Bovard, 2005, pp. 28-29); politicians have freer rein for the use of the politics of fear, as, for example, George W. Bush did in 2004 by casting his main presidential rival as a poor protector and overstating the threat of international terrorism (p. 34). In general, Bovard says, politicians are finding it far too easy to lie (p. 77); if voters are ignorant and they do not understand facts, then how are they to distinguish between facts and falsehoods? Will they recognise a lie when they are told one? In this way, risks seem to

emerge from an ignorant voting public even if we remain sceptical about the formal influence that any voter can wield over their political class. The positive version of this claim is, of course, that a more reliably educated voting public would demand better politicians, punish bad policies, and discourage the use of dishonest politicking. Yet Bovard's overriding pessimism over the role of the state (as raised in the preceding paragraph) would seem to imply that he suspects that a generally better-informed public is unlikely to come about, and would probably not make a significant difference to government even if it did. Most significantly, Bovard is implicitly adhering to some version of the folk theory of democracy outlined at the beginning of this Chapter – in his belief in self-evident, common-sense 'right' answers to key policy questions he is making use of an Enlightenment concept of reason. His only disagreement with the folk theory is on the question of public competence – and in order to explain an incompetent public even in the face of self-evidently correct answers, he must refer to both the presence of unacceptable levels of ignorance and the wilful manipulation of such ignorance by malevolent authority figures.

Historically, similar claims about the ignorance of the general population would often be the basis for elitist or anti-democratic arguments against the institution of an extended or universal franchise. To extend the vote to include those without the capacity or experience for a critical consideration of politics was considered extremely dangerous in, for example, 19th and early 20th Century Britain, and such arguments were put forward by both Tories and their more 'progressive' political counterparts, members of the Whig and Liberal parties. William E.H. Lecky serves as a fine example of such anti-democratic sentiment, and his claims about the possibility for widespread manipulation of votes in the event of an extended franchise seem like a pre-emption of Bovard's contributions:

There are multitudes in every nation who contribute nothing to its public opinion; who never give a serious thought to public affairs, who have no spontaneous wish to take part in them; who, if they are induced to do so, will act under the complete direction of individuals or organisations of another class. The landlord, the clergyman or Dissenting minister or priest, the local agitator, or the public-house keeper, will direct their votes, and in a pure democracy the art of winning and accumulating these votes will become one of the chief parts of practical politics (Lecky, 1896 [1981], pp. 18-19).

Lecky goes on to set out, in some detail, his worst fears about an extended franchise – that politics would become more simplistic, petty and rivalrous, and that elections could turn on unreasoned whims (like a basic notion of fairness dictating that one political party ought to be given power after a while under the government of another, rather than basing a vote on a rational assessment of the national good) (p. 19). He continues (and it is worth again quoting at length):

The men who vote through such motives ... within the narrow circle of their own ideas, surroundings, and immediate interests, exhibit no small shrewdness of judgment; but they are as ignorant as children of the great questions of foreign, or Indian, or Irish, or colonial policy, of the complicated and far-reaching consequences of the constitutional changes, or the great questions relating to commercial or financial policy, on which a general election frequently turns. If they are asked to vote on these issues, all that can be safely predicted is that their decision will not represent either settled conviction or real knowledge (pp. 19-20).

The tone and quality of politics is not the only basis for Lecky's opposition to an extensive voting franchise. He also argues that popular sentiment is often inimical to progress, desirable policies and even technological advancement. He quotes Henry Maine's *Popular Government* to this effect:

Universal suffrage, which to-day excludes free trade from the United States, would certainly have prohibited the spinning-jenny and the power-loom. It would have certainly forbidden the threshing-machine. It would have prevented the adoption of the Gregorian Calendar; and it would have restored the Stuarts. It would have proscribed the Roman Catholics, with the mob which burned Lord Mansfield's house and library in 1780; and it would have proscribed the Dissenters, with the mob that burned Dr. Priestley's house and library in 1791 (pp. 22-23).

This argument appears to form an interesting counterpoint to Lecky's earlier claims, which are founded upon the assumption that the wider public cares little for politics and has no inclination for educated or rational consideration of political questions. Lecky does allow that such people can be "shrewd" about their immediate interests – exhibiting a kind of rough, locally-salient rationality in judgement. The Maine quote seems to suggest that

this immediate, contextual rationality would lead to opposition to industrial advancement, but also implies that a contrary rationality exists at a larger scale of consideration. Lecky's argument does not seem simply to rest on a claim of outright voter irrationality, but on a considered distinction between a more global rationality – which is desirable for governance – and a localised rational response to personal conditions and welfare.

Many of Lecky's concerns about the implications of democracy can also be found in earlier works – as in, for example, the letters of the historian Jacob Burckhardt, who wrote in 1845 that, while “[t]he word freedom sounds rich and beautiful”, freedom could not itself be realised by the enfranchisement of the wider public:

No one should talk about it [freedom] who has not seen and experienced slavery under the loud-mouthed masses ... I know too much history to expect anything from the despotism of the masses but a future tyranny, which will mean the end of history. ... Believe me, 'the political people' to whom certain ones boastfully appeal do not yet exist ... instead, there are only masses, and among them a number of splendid still undeveloped characters, ripe to fall into the hands of the first swine who comes along, and to behave like beasts (Burckhardt, 2001, p. 93)

This is a view that plainly places the notions of civic freedom and political rights at loggerheads, and evinces not only a distinct scepticism as to the epistemic capacities of the general public, but a deep-running suspicion that the ‘masses’ will be prone to manipulation, and willing to support a charismatic yet destructive tyrant. From such a perspective, the electoral successes enjoyed by some totalitarian political parties in the 20th Century would appear simply to corroborate the assumption that a popular democracy will inevitably tend toward undesirable outcomes.

The centuries-old arguments of Burckhardt and Lecky make for an interesting comparison with Bryan Caplan's contribution to the ‘ignorant voters’ literature. Like Lecky, Caplan's claims about the risks of significant voter ignorance stem from the worry that the ignorant will actually *use* their votes - and that their votes are capable of producing self-evidently undesirable policy outcomes, thanks to the election of politicians that are either as economically illiterate as their constituents, or willing to act as populist opportunists. Democracy is undesirable, according to Caplan, "because it does what voters want" - and most voters are both ignorant and irrational (Caplan, 2008, p. 3).

Caplan describes a kind of total unreasonableness in voters: they are “worse than ignorant ... [w]hen people vote under the influence of false beliefs that feel good, democracy

persistently delivers bad policies” (p.2). Where Lecky seemed comfortable enough trusting the individual citizens with local concerns that directly affect them, Caplan seems to think that individuals are often unable to rationally grapple with any issue of complexity. This also carries the implication that, as Lecky argues for national interest decisions, there exists a version of self-interest that is (or would be) more desirable for the individual than that which a broadly ignorant citizen is capable of capturing. This establishes the grounds for an important feature of Caplan’s contribution to the Platonist literature: the idea of “rational irrationality”. Caplan argues that not only do voters appear to have stronger incentives to remain ignorant than to educate themselves (as established by the ‘rational ignorance’ mentioned above), but they are incentivised to approach whatever knowledge they do have in biased and unwise ways. Attempts to assert the psychological plausibility of this understanding of human error lead Caplan to compare it to the Orwellian notion of “doublethink” (p. 125). In fact, most psychologists would likely think of a tendency to pivot between seeming rationality and irrationality over identical information as something like ‘cognitive dissonance’: a situation where an individual believes two contradictory things at the same time. Psychological studies suggest that such dissonance, once conscious, is an uncomfortable situation for the human mind, and this discomfort serves as a strong incentive to resolve the apparent internal disagreement one way or another (Festinger, *A Theory of Cognitive Dissonance*, 1957). Caplan, then, must be primarily thinking of something like an unconscious or undiscovered cognitive dissonance, so that the same individual is capable of acting both rationally and irrationally at once *without* feeling the need to put an end to their internal conflict (say by, to adapt one of Caplan’s examples, asserting both the importance of protectionist attitudes such as ‘buying British’ and the rational purchasing of the most cost-effective product when actually in a supermarket).

The central idea of “rational irrationality” is that “if one vote cannot change policy outcomes, the price of irrationality is zero” (Caplan, 2008, p. 132). This leads voters to reason badly in the service of other commitments or pre-existing biases, rather than in the pursuit of a rational vote. Since irrationality *costs nothing* in this very economic understanding of preference-formation, and since the pursuit of rationality always costs something, rationality will be trumped by the need to service even weakly-held assumptions or prejudices. Caplan implies that recognitions of this phenomenon promises significant analytical power: it may help to explain, for example, the electoral success of totalitarian parties in the mid-20th Century (p. 142). For when *trends* occur in the electorate’s irrational preference-formation – when the public’s expected deviations from

rationality are not random, and so probabilistically cancelling each other out – then there can be serious implications for the health of the wider social order.

The concept of ‘rational irrationality’ is not unproblematic, not least because it necessarily presupposes that we have some reliable basis for distinguishing rational preferences from irrational ones (in Caplan’s case, that would often simply be the extent of an individual’s acceptance of the core principles of economics). But from an even slightly more relativistic standpoint, this position seems untenable. After all, there is a huge plurality of perspectives to be found in the writings of professional economists, let alone ordinary voters. Is Caplan really arguing that there is only one way to be ‘rational’ in response to a certain set of evidence? Am I demonstrating rational irrationality by believing in the importance of purchasing locally-produced foodstuffs for environmental reasons but then nevertheless buying cheaper imported food for economic ones? Or are the contextual constraints on my rationality leading me to oscillate between two perfectly reasonable perspectives? As Jason Brennan has explained, many of the facts established by economic theory are deeply counter-intuitive (Brennan J. , 2012, pp. 172-3), and Gerald Gaus has similarly criticised Caplan for overstating the extent to which some economic facts have been decontested, and, moreover, that it is not clear that knowledge of economics necessarily translates into better policy (Gaus, 2009, p. 294). Deliberative democrats are also a reliable source of arguments as to the normative limits of expertise, which cannot necessarily offer answers to fundamental moral quandaries (Gutmann & Thompson, 1996, p. 226; Brown, 2014, p. 53). By arguing for the existence of self-evidently rational perspectives, Caplan’s Platonist/Hayekian argument shares epistemic ground with the Rousseauian perspective, which argues that, if only we could all be exposed to the same information and consider it in a reasonable way, disagreement might not exist in politics.

In the event, Caplan does go so far as to accept that the policies and institutions of universal franchise representative democracies tend to be “better than you would expect given pure public opinion” (Caplan, 2008, p. 1).⁴⁰ This phenomenon – of democratic outcomes exceeding, in terms of quality, the citizens whose participation underpins democracy – is explained by Caplan as being a result of the fact that votes tend not to be influential. The same phenomenon that creates the incentives for voter irrationality therefore *also* creates the conditions where such irrationality is less able to be problematic for an entire social order.

⁴⁰ This is not to say, it must be pointed out, that Caplan is at all content with the greater body of policies enacted within democracies – simply that voter ignorance offers sufficient grounds to expect things to be even worse.

The wider implication is of an institutional trend: governments produce more desirable outcomes when they are resistant to the influence of voters than when they are strongly subject or accountable to them. This outstanding implication invites an endorsement of epistocracy: what is it about governments that makes them capable of producing better results than the voting public that underpins them, if not the expertise of politicians and officials relative to a wider public? This perspective, which seems to be implied by Caplan's contribution, would surely not meet with his own approval.

Regardless, arguments as to the negative implications of an epistemically limited voting public either demand or imply policy prescriptions: normative arguments about how best to minimise the impact, or alternatively improve the contributions of, ignorant voters. These arguments are the subject of the next section.

Responding to the Dangers of Ignorance

If the efficacy and desirability of democracy is negatively affected by an ignorant electorate, then there two obvious responses available: citizens should either become more competent, or the powers of democratic institutions should be curtailed so as to limit their potential for damaging the wellbeing of the wider social order. A third, less obvious alternative is to ensure that the structure of democratic institutions is robust in the face of an ignorant electorate, and capable of procedurally producing desirable outcomes and resisting the influence of even a majority of ignorant voters where necessary. The first two types of response can be termed 'epistemic' and 'minarchist' respectively; the third type of response may best be understood as a kind of constitutionalism (wherein the basic contents of an underlying constitution are considered to be firmly agreed and are very resistant to alteration in line with political whims – see, for example, the institutionalised inefficiencies, such as separated powers or staggered 'shifts' of elections of representatives – that ensure that many democracies are not to a great degree responsive to the preferences of the electorate. This section will focus on the first two types of response.

The first, epistemic type of response to public ignorance can itself take a variety of forms: for example, epistemic improvement of an electorate can be achieved by the narrowing of the franchise to only include participants with a certain minimum level of demonstrated competence, but also by attempting to systematically improve the knowledge-levels and rationality of all potential democratic participants. Deliberative democracy is itself

frequently represented or justified as an educative and information-pooling procedure. In reality, as Chapters Two, Four and Six of this thesis argue, deliberative democracy is likely, in practice, to collapse into exclusivist (rather than educative) solutions to epistemic problems; partly because increased knowledge will not always be a reliable solution to epistemic difference, and partly because the very act of deliberation necessitates the de-emphasis of participation.

Although some contemporary research suggests that most citizens are able to assemble enough expertise to crystallise an understanding of their own interests in a situation of particular controversy or contextual salience (Bauer, 2008), most posited educative solutions to public ignorance revolve around culture-change and centrally mandated information-dissemination. A classic iteration of such an educative argument can be found in Deweyan democratic theory, though democratic education is also a preoccupation for Thomas Jefferson and John Stuart Mill (2004 [1861]). Recognising that the public often seemed “lost ... [or] certainly bewildered”, Dewey argued that it could be made more capable through the introduction of “a more radical and committed democracy” (Dewey, 1927, p. 325). For Dewey, education was synonymous with democracy, and the only possible means of sustaining social order between generations. A thorough-going democratic culture was itself cast as the bedrock of an educational approach, in so far as it could inculcate a tendency to think rationally about pushing back the boundaries of ignorance: “[T]here are cases when a man literally does not *know* what he likes or what is good to him, or what to take as a good. As a non-rational creature, he may resort to mere trial and error. As a rational one, he tries to regulate his trial by judgement, that is, to make it an experiment such as will throw light upon the case by bringing into existence new data making possible a more adequate judgement” (Dewey, 1922, p. 277). The attainment of the capacity for such rational judgement is concurrent with the capacity for *personality* – the term Dewey used to express a sense of individual responsibility and an ability to contribute to the public good. Democracy is simply a set of conditions where every citizen is afforded the opportunity to develop personality (Bernstein, 2010, p. 292).

A thorough-going civic education – as a core element of a suite of democratic cultural values promoting social intelligence – could create the conditions for increased awareness and expertise in a voting public. However, such an educational ‘silver bullet’ has not yet been put into practice, perhaps because education of sufficient value (and culture-change along the lines that Dewey specified) poses insurmountable logistical problems. Moreover, if, as Ilya Somin suggests, the arguments about rational ignorance are to be believed, then “the major constraint on political knowledge is not supply of information but the demand

for it” (Somin, 2013, p. 15) – a claim supported by the fact that, though information is now more readily available than at any previous point in human history, and though general levels of educational attainment have steadily increased for decades, political awareness and knowledge have remained consistently low (Somin, 2013, p. 171; Galston, 2001; Delli Carpini & Keeter, 1989).

Somin, like Mill, is also wary of the potential for political and economic education to simply serve the purpose of governmental indoctrination (Somin, 2013, p.173; Mill, *On Liberty*, 1975, p. 98) – and, even if we are not convinced that this is a concern serious enough to cause us to rethink educational policies, it does serve as a reminder that educative processes will often necessarily involve the importation and emphasis of pre-existing social and institutional biases.

If educational solutions are politically and logistically impracticable (at least to the extent that they are unlikely to reduce ignorance to the point that they will satisfy the Platonist arguments-from-ignorance set out in the previous section) then alternative responses should be considered. Ilya Somin gives serious consideration to a range of such solutions, including ‘information shortcuts’, increased deferral to experts and media reforms, and creating financial incentives for epistemic performance (i.e. paying voters to learn), before eventually concluding that none of these are able to fully allay Platonist fears as to the negative consequences of public ignorance, and indeed that many of these ‘solutions’ to the public’s lack of economic and political knowledge could make democratic politics more vulnerable to manipulative or coercive influence and bad outcomes more generally (Somin, 2013, chaps. 4 and 7).

Somin’s engagement with these responses is perhaps too granular. All such solutions are reducible to exercises in education or franchise-limitation. Delegation to expert representatives or officials, if contingent on a democratic selection procedure, will likely import the same epistemically questionable public judgements as a direct democratic process; moreover, the selection of experts requires a clear a conception both of what is entailed in expertise and of the best means of measuring expertise in potential officials: a problematic task, as Shapiro has argued (Shapiro, 1996, p. 128). Given the evidence of public ignorance discussed earlier in this chapter, it seems unlikely that democratic publics will be able to reliably select good experts: one of many examples of public ignorance being, in Somin’s words, “an obstacle to its own alleviation” (Somin, 2013, p.

193).⁴¹ And of course experts and officials must contend with their own knowledge problems, as Tetlock (2006) has explained.

Somin eventually endorses a weaker version of the minarchism set out by other Platonists, arguing that, while political and economic ignorance do not “justify absolute libertarianism” – after all, he writes near the beginning of his book, democracies tend to be “more prosperous and peaceful ... [and] also more likely to avoid major policy disasters” than alternative forms of social order (p. 9) – it is nevertheless true that “[d]emocratic control of government works better when there is less government to control” (pp. 193, 199).

Other Platonists are rather less circumspect. Bovard writes that there are, in effect, only two options available to contemporary politics: “We can either embrace paternalism and openly admit that the government must protect people from themselves (and from their foolish political opinions), or we can reduce the size and scope of government to something that the average citizen can better understand” (Bovard, 2005, p. 244).

Bovard, of course, prefers the latter option: if politics and economics is too vast and complex for the average citizen to approximate rational voting, then surely a minimal government, representatives with exceptionally clear responsibilities and mandates, and a reduced potential for public ignorance to be harmful, are the best course of action. Caplan concurs: people are far more incentivised to come to rational conclusions about things that have a direct and immediate impact on their lives, such as purchasing decisions (a mode of choice-making that Somin refers to as “foot-voting”). Since public ignorance and irrationality are seemingly very widespread, and since it seem reasonable that voters nevertheless *think* they are voting in line with the public interest and that their representatives are generally keen to be seen to be highly responsive to public preferences, democracy is inherently problematic: the “threefold combination – irrational cognition, selfless motivation, and modest slack – is as bad as it gets” (Caplan, 2008, p. 195). If only, Caplan goes on to reason, our elected representatives were less responsive, or our electorate were more self-consciously self-interested, then the “threat” of public ignorance and irrationality could be mitigated.

If increasing the emphasis on markets is politically unlikely, and democracy is indeed non-negotiable, then Caplan suggests precisely the kind of franchise-limitation or vote-

⁴¹ Retrospective electoral judgement of the performance of representatives may be an exception – see the discussion of Riker in Chapter 5 of this thesis.

weighting that Somin depicts as politically impracticable in his own book. A test of economic literacy, or perhaps the limitation of the franchise to (or increased value of votes made by) those with college degrees, are both put forward (p. 197). Failing this, it would certainly be sensible to stop trying to *increase* voter turnout (p. 198).

Caplan's failure to allow for the reasonable pluralism of views – and tendency to dismiss preferences that are not reasoned in line with what he takes to be absolute economic truths – counts against the plausibility of both his critiques and prescriptions for democracy. Yet this is not the only line of argument employed by the group of democratic theorists I describe as Platonists. Recent contributions to this literature – the best example of which is Jason Brennan's *The Ethics of Voting* – shift focus to criticising the universal franchise on ethical grounds, re-framing these familiar arguments-from-ignorance in more philosophical terms. The following section will engage with this sub-type of argumentation, and Brennan's contribution in particular.

Voting Ethics

Jason Brennan constructs an ethical basis for his objection to ignorance in a voting public. He argues, echoing Bastiat,⁴² that, because votes within a democracy form the basis for outcomes with which every citizen must subsequently live, votes cannot only be informed by personal, temporal preferences. 'Voting well' thus entails an engagement with, and understanding of, the political and economic issues that are at stake, thus developing a "justified" perception of where the public interest lies, and proceeding to vote in line with the realisation of that interest (Brennan J., 2012, p. 4). Good votes cannot be solely based upon private interest, therefore, or even upon what a given voter *believes* the public interest to be. While Brennan appears to accept that all conceptions of the public interest are based upon perceptions, and are to some extent therefore subjective, he imposes a distinction between "justified" perceptions of the public interest and mere beliefs.

Thus 'voting well' - in a knowledgeable and justifiably public-interested way - is presented as an ethical requirement. To do otherwise - to vote *badly* - would be to risk imposing an ill-considered and *successful* vote (successful, that is, in the sense that the vote contributes to a winning margin for its chosen outcome or candidate) on an entire polity (Brennan J., 2012, p. 68). This possibility of imposing the negative consequences of your ignorance or

⁴² "[W]hy is incapacity a cause for exclusion? Because it is not the voter alone who must bear the consequences of his vote" (Bastiat, 1964, pp. 57-58).

selfishness on *other people* is the factor that, Brennan believes, makes voting ethically significant; a preoccupation that recalls John Stuart Mill's harm principle, wherein the free actions of an individual may be legitimately intervened-in when that individual's actions are liable to cause harm to another individual.

Yet 'voting well' in such a way is also plainly epistemically burdensome. It is much easier to vote badly than to vote well. Brennan is primarily concerned with the existence of a phenomenon of dutiful voting among individuals without the requisite knowledge or concept of the public interest to vote well. Yet Brennan insists that this concern does not lead him to call for the narrowing of the voting franchise; indeed, he is clear that he considers voting to be a (nearly) universal right (p. 5). Rather, it is suggested that only those individuals with the motivation and necessary epistemic capacities actually vote; all other citizens, though entitled to vote, are ethically obliged *not* to, and should be dissuaded from doing so. This is a clever argument, and seems to offer good grounds for distinguishing between Brennan and some of the other authors discussed in this chapter, as well as deliberative democrats and public reason theorists (see Chapter 4 of this thesis). Having set out the ethical significance of voting, and the importance of voting well, Brennan does not suggest public education programmes or more participation (as a deliberative democrat might); neither does he recommend the exclusion of ignorant citizens from the franchise (as, for example, Lecky would or Bovard might). Instead, those who are incapable of voting well are encouraged to abstain, and the preferentiality of abstinence in the case of some voters renders redundant the commonly assumed *duty* of voting (p. 45).

So, to set out Brennan's argument and claims as simply as possible:

1. Votes are ethically significant, in that they have a bearing on whether or not a political process produces desirable outcomes.
2. Because votes are ethically significant, voters are ethically required to 'vote well'. This involves voting in line with the "justified" perception of public interest, and not merely with what they believe the public interest to be.
3. Voting well is thus an epistemically burdensome activity.
4. Citizens are not, however, ethically required *to vote*.
5. Citizens who are unable (or unmotivated) to vote well are thus under no obligation to vote. On the contrary, they would do best to abstain

altogether. Bad voters are ethically obliged *not* to vote, but do not lose their right to do so.⁴³

This argument, and the claims and premises that compose it, are problematic in several ways. Let us scrutinise in order the points of argumentation set out above.

1. The Ethical Significance of Individual Votes

The first stage of Brennan's argument involves establishing that voting is an activity with ethical implications. This claim is based on a consequentialist argument: Voting badly is ethically unacceptable *because* it produces undesirable outcomes. However it is unclear whether Brennan's claim can be meaningfully applied to individual votes, which, in mass democracies, are usually considered to be rather irrelevant to political outcomes. It has become a commonplace of political science to point out the insignificance of individual votes, as discussed in the first part of this chapter, and this is a literature that Brennan explicitly acknowledges (p. 21). Most vote aggregation systems assign negligible value to individual votes - and it is difficult to conceive of a voting procedure that could improve the relevance of an individual contribution in the age of mass-membership voting franchises. What then is the ethical significance of a choice where the probability of a meaningful causal outcome - casting the 'decisive vote', for example, or otherwise influencing policy - is so minute?

The unlikelihood of meaningful political influence through voting has led to a family of arguments - already referred to in this chapter - that express individual political ignorance as basically being rationally-motivated.

Arneson sets out a decent explanation of how, instrumentally speaking, voters are 'rational' to disengage politically: "Even morally disposed and conscientious citizens will not vote well", for such are the costs associated with meaningful political knowledge (Arneson, 2009, p. 201). It is not at all clear that rational ignorance can form the foundation of an instrumentalist case against democracy, but Arneson's claims function well as a response to Brennan. Surely voting well, as Arneson argues, only becomes

⁴³ At other times, Brennan has gone further and, like some of the other authors discussed in this chapter, explicitly argued for the removal of voting rights from those without sufficient competency on the basis that sensibly restricted suffrage would be more desirable in terms of both intrinsic and consequential justice (*The Right to a Competent Electorate*, 2011). He does this by positing a moral right to only being subject to the influence of morally reasonable actors, and pointing out that no plausible system of democracy could possibly guarantee such a right. Here, I focus on Brennan's voting ethics argument, which is his better, more developed and more moderate response to the seeming epistemic inadequacies of democratic citizens.

ethically important once a voting public is scaled-down enough to make each vote at least somewhat efficacious: "The moral permission to vote without becoming well informed and deliberating carefully holds only given certain conditions. If large numbers of voters abstained from exercising their right to vote, at some point the efficacy of the votes left in the hands of the remaining voters would be large enough to trigger requirements to use the vote well" (*Ibid.*, p. 202). This raises an even more troubling possibility for Brennan's theory – couldn't the requirement for voting well create a feedback loop, where fewer citizens participate, raising the bar of 'voting well' ever higher?

In any case, Brennan may still argue that the quality of individual votes is important in the aggregate - that the choice of the *majority* will result in certain outcomes, and it is therefore desirable for the majority of individuals to establish their preferences in a public-minded and informed way. This, of course, raises another question: is a bad vote still an ethical problem if it remains in the minority? If Susie votes in a misguided way, surely this is of no ethical importance unless a majority of voters vote in the same way, leading to the election of undesirable representatives and the enactment of bad policy? Brennan's ethical concerns are clearly based on a consequentialist position: voting is ethically significant, he argues, because good voting can result in desirable outcomes, and bad voting can produce undesirable ones. So to rephrase the question - can a 'bad' vote be ethically compromising in an intrinsic way, or does it only become so by dint of being *both* 'bad' and popular?

The reality of majoritarian democratic principles also seems to shift the epistemic burden. If Susie, as a voting citizen, has no idea of whether her political preferences are popular or not, then it is very difficult to estimate the ethical responsibility that voting will entail. If her views are in the minority, it would (from a consequentialist standpoint) be pointless to worry too much about the quality of her thought processes or her contextual knowledge. If, however, her views are popular, and her vote is likely to join the mass of votes that support a winning candidate or option, then again her ethical responsibilities seem to be subsumed by the scale of the identical preferences around her. If she is making an error then she is certainly not alone; if the outcome is unacceptable then she certainly couldn't be thought to be (in any important way) responsible for it.

Let us set this aside, and assume that our badly-informed and misguided vote *is* influential to some extent, even given the scale of our voting public and the possibility that our 'bad' vote is in the minority, and will never produce or influence an undesirable outcome. Choices that affect others are very common - and, very commonly, such choices can be

mistaken. Brennan does not omit the possibility that 'voting well' can still result in undesirable outcomes. The intentions of the voter seem to take on a particular significance for Brennan's claims: it is important to him that the voter makes an effort to promote good preference-formation. This certainly seems reasonable. If, for example, Calvin makes an error (as the result of negligence) that reduces the profitability of the company that he works for, this is intuitively much more ethically significant than an identical error that is committed *despite* his best efforts to make a justifiable choice in the company's best interest. Yet the failing has occurred in both cases, and the negative outcomes in each case will be identically bad. For Brennan's idea of voting ethics to be persuasive, we must also be persuaded that the effort to vote well actually increases the likelihood of more desirable outcomes. If not, then the assignment of value to these efforts - gaining knowledge, trying to theorise the public interest - is erroneous. It does not seem that Brennan makes a comprehensive case that the attempt to 'vote well' can be correlated with an increased incidence of 'good votes' - even if only because it is not possible to determine beyond doubt what a 'good vote' will look like, so subjective may be a voter's perception of the political question or questions under consideration. A good voter can cast a bad vote, and a bad voter can cast a good one, even if only by accident.

To summarise the above discussion: individual votes are not ethically significant because they are extremely unlikely to be influential within a mass-franchise, majoritarian democracy, and because there is no necessary connection between an effort to vote 'well' and the fact of more desirable outcomes. There are other avenues of criticism available here as well: for example, what motivation does an individual have to produce good votes in the face of a selection of choices that may not (indeed, probably will not) offer a candidate or option that precisely matches her idea of the public interest?

It is perhaps worth noting that the above paragraphs are not intended to constitute an argument that participation has no significant consequential value in mass-franchise democracy. On the contrary, the wider objective of this thesis, as explained in its first chapter, is to explain the importance of the *presumption* of efficacy in such democratic systems. However, where Brennan argues that 'bad voting' can have a negative impact on other people in the same society, I am doubtful of our ability to distinguish good votes from bad; in the face of this ignorance, it is best to detach the epistemic basis of voting from ethical judgement altogether. Voting has a different set of utilities which makes its practice worthwhile, which I have set out in detail in Chapter One.

2. How to Vote Well

Let us accept the first of Brennan's claims – that voting is ethically significant – and move to the next, overlapping claim: that the ethical significance of voting necessitates *good votes* on the part of voters. It would be foolish to suggest that we do not *desire* votes to be 'good'; voting well is intuitively desirable. However, it is not clear that Brennan's argument can legitimately conclude with the idea of an ethical obligation – that voters, if they are to vote, *must* vote well (Brennan J. , The Ethics of Voting, 2012, p. 4).

To an extent this view has already been challenged by some of the questions raised in the previous section, yet the issue here is more to do with the difficulty of establishing definitional desirability in the act of voting. For example, it seems implausible to establish a benchmark for assessing when votes are the products of 'good' or 'bad' epistemic processes. We cannot realistically analyse the preference formation process on the individual level, and thus we cannot determine whether a vote was 'good' by the content of the vote itself, and neither can we establish the quality of a vote based on the knowledge or reasoning capacity of the voter. Thus our assessment of whether or not a vote was 'good' seems to fall subject to an ignorance problem.

Brennan's argument, which gestures towards a reasoning justificatory procedure (*Ibid.*, p. 68) (though not to the extent or full implications of public reason theorists who are discussed in the next chapter), is founded upon a simple and intuitively attractive assumption – that knowledge is good for votes, and ignorance is bad. This claim is untestable because there is no way to establish beyond contestation what a 'good' vote looks like. To justify a certain vote *on the basis of the desirability of the future political outcomes that are expected to arise as its result* is necessarily ideological. Bryan Caplan is more straightforward about this stance than Brennan: that some candidates and policies are *self-evidently* better than others, and only the ignorant or the unreasonable will fail to grasp this.

If, however, we infer from Brennan that *voting well* does not necessarily result in *good votes*, then the argument for voting well seems to dissolve. Of course the desirability of the attempt to vote well remains. But given the problems raised against these first two of Brennan's claims, then what is the *ethical* issue with voters simply voting in line with what they believe to be their own interests – or, more likely, in line with what, however wrongly, they understand to constitute the public good?

3. The Epistemic Burdens of 'Voting Well'

The costs associated with voting well have to be defined by what voting well entails; if we accept that we can call 'voting well' any procedure that results in good votes, then it is not a given that maximising knowledge/expertise is necessarily the primary requirement for 'voting well'. Brennan does not specify the threshold of knowledge that would convert a bad vote into a good one. An overriding issue here is that Brennan seems to be assuming that public-mindedness is interlinked with increased knowledge. To a limited extent this seems to be fair: one cannot be realistically public-minded and other-regarding unless one has taken the time to try to understand where the public interest may lie. But beyond this, there is little to suggest that we might become more selfless as a result of our increased knowledge.

Nevertheless, if we accept Brennan's premises, 'voting well' would be extremely epistemically burdensome. It would demand knowledge of what information is relevant to a given vote choice, as well as knowledge of how to go about gathering such information. There needs to be some conception of the public good, of course – and formulating such this would demand certain knowledge as well. Finally, if voters are to assess their ability to vote well (i.e. in line with a reasonable conception of the public good), then they must be able to gather information as to the public justifiability – the reasonableness and acceptability – of both their own notion of the public good *and* their attempt to vote in line with it. The next step of Brennan's argument (discussed below) makes these epistemic burdens relatively unproblematic. Yet the scale of Brennan's epistemic demands suggests that the final set of citizens who are capable of *voting well* will be rather small.

4 & 5. No Obligation to Vote, but an Obligation not to Vote Badly

Nobody, according to Brennan, is ethically obliged to vote. This is an interesting argument. It serves Brennan's position in so far as it permits him to explain that the exclusion of ignorant citizens from voting is as simple as establishing that they are not duty-bound to go to the polling station, which stands as the societal presumption at present. However, the 'no obligation to vote' claim also poses a threat to Brennan's argument. If voting is ethically important, and voting well is both ethically desirable and, we may safely infer, quite rare, then surely individuals who are epistemically capable of voting well *ought to vote*. Brennan's insistence that there is no ethical obligation to vote feels, therefore, counter-intuitive, and undermines the idea that voting is ethically significant.

The final formulation therefore may seem to be that while bad voters are ethically obliged not to vote, good voters are ethically obliged to vote, particularly given the potential that

many bad voters will not recognise themselves as such, will proceed to vote anyway, and will need to be outweighed by *good* voters at the ballot box.

Brennan writes that a citizen must “vote well or must abstain. Voting well tends to be difficult, but discharging one’s duties regarding voting is easy, because one may abstain instead”. This argument, he also states, does not constitute advocacy for disenfranchisement of the ignorant (pp. 4-5). Is this a believable claim?

I think not. One reason to think that it would not be ethical to encourage ‘bad’ voters to abstain, even if we accept Brennan’s claims about the ethics of voting, the detectability of ‘voting badly’, and the rest is that the development of a civic culture where the ignorant self-exclude themselves from voting would, I suggest, add up to the generalised social norm of *informal* disenfranchisement rather than educative improvement. Where Caplan and Bovard are explicit about the need for the disenfranchisement of less-capable voters, Brennan allows his ethical argument to create the intellectual pre-conditions for a less formal kind of exclusion (though it should be noted that, as a work of philosophy, Brennan’s arguments do not contain much explicitly prescriptive content – as he puts it, he is offering “moral philosophy, not a manual for civic education” (p.172).

Moreover, such a culture would prioritise an unrealistic objective (that all votes should be ‘good votes’) over a realistic (and currently realised) one: that everyone who wishes to vote does so. The consequential benefits of this second, more realistic objective that are suggested in chapter 1 of this thesis - social cohesiveness, a sense of citizens having a ‘stake’ in their politics, the provision of grounds to endorse the political system on the basis of procedural fairness even when one’s vote is ‘wasted’ (and your candidate does not win), epistemic benefits (even if these are limited or peripheral), and the ability for even ‘bad’ voters to retrospectively punish bad representatives - are valuable enough to leave our culture of voting as it is.

Conclusion: Platonist Exclusivity

This chapter has argued, through specific discussions and rebuttals to various types of Platonist arguments based on the epistemic inadequacy of voting publics, that:

1. There are few (if any) reliable standards by which to distinguish a knowledgeable vote from an ignorant one without establishing some pre-judgement about the ‘correct’ public interest,

2. It is unlikely, given the lack of importance in individual votes, that a good vote will ever produce a better outcome than a bad one,
3. The benefits associated with widespread voting outweigh the costs associated with bad voters (this as an extrapolation from the consequentialist argument offered in Chapter 1),
4. The fact of the unimportance of individual votes means that there is little incentive to vote knowledgeably – *but also effectively means that unknowledgeable votes are unlikely to cause any great harm.*

The requirement of knowledgeable participation in democracy, along with the franchise-reduction that it entails, arguably incurs something along the lines of Estlund's 'demographic objection' against epistocracy (or government by 'knowers') (Estlund, 2003, p. 62).

Desiring participation by only the 'knowers' entails importing whatever demographic 'sample bias' comes with that group. Whatever else the most epistemically qualified subset of a society may be, they are unlikely to constitute a representative cross-section of a given citizenry. This kind of demographic bias is already plausibly an issue for aggregative democracy: there are biases and demographic trends among those who *choose* to vote in a contemporary liberal democracy, limiting the epistemic range of participation and curtailing whatever benefits may be received from cognitive diversity. But the Platonist arguments set out in this chapter would exacerbate the tendency toward such a sample bias, plausibly undermining the *legitimacy* of democratic politics, potentially reducing its potential epistemic benefits in the aggregate, and destroying the basis for the desirable consequences of the universal franchise (even if classical liberals may be comfortable with the according reduction in the legitimacy of state action).

The 'folk theory of democracy' can therefore be endorsed for its prescriptive implications, if not for any of its premises, many of which are badly damaged by the evidence and arguments presented by Platonists. Yet the overriding importance of the prevalence of the folk theory – of a democratic mind-set that demands that value is attached to the basic elements of liberal democratic participation – is what lends democracy its robustness and value. Many, if not all, of the criticisms of democracy set out in this chapter necessarily entail an acceptance of the Enlightenment concept of reason, just as the folk theory does, and then proceed to bemoan the failure of most democratic participants to grasp the essential truths that would allow them to vote 'well' or 'ethically'. Where a Rousseauian or General Will conception of democracy simply considers public opinion under reasonable

circumstances to be descriptive of the public interest, the Platonist arguments in this chapter see a division between the public interest and the epistemic capacity of individuals or whole publics to ascertain its contents. This, however, is a similarly weak position, as it prejudices the set of things that seem to be obvious technical truths to each thinker above the subjective preferences of others.

Regardless of how plausible, upon careful reflection, each clause of the folk theory of democracy appears to be, it is essential to the consequentialist justification of democratic norms that it is a myth that is allowed to self-perpetuate. The confidence that these misconceptions inspire outweighs whatever dangers they may pose to the wider social order. The maintenance of this myth, crucially, would involve the avoidance of anti-participatory or disenfranchising measures.

The next chapter will discuss another approach to the epistemic improvement of democratic citizens, and the possibility that the requirements of 'public reason' are essentially exclusivist, just as consensus-seeking deliberation and most of the Platonist arguments presented in this chapter appear to be.

Chapter Four: Public Reason

Democratic theorists now take deliberation to be the exemplary practice or activity for democrats, and they gear their arguments toward its realization. Hence deliberation has become a standard for the accomplishment of democracy: it is what democratic theorists aim for, our ideal and our aspiration. (...) What, then, could be wrong with deliberation? To begin, one might simply be suspicious of the near consensus among democratic theorists on its behalf.

- **Lynn Sanders** (1997, p. 347)

Summary

This chapter attempts to explicate the concept of 'public reason' as central to theories of deliberative democracy that take into account the reality of reasonable pluralism and value-incommensurability. Rather than prioritising the implausible goal of substantive consensus, this approach to deliberation requires the pursuit of meta-consensus on acceptable reasons instead. This analysis suggests that the concept of public reason hybridises the act of reason-giving and the epistemic state of 'being reasonable'. As a result, public reason functions as a stringent epistemic requirement for would-be deliberative participants, and one that exceeds the standard requirements for effective political rhetoric. The chapter will take into account the approach of a range of contributors to the literature on public reason, including Habermas and Rawls. It will then turn to a criticism of 'public reason liberalism', a strand of post-Rawlsian theory that connects public reason to non-deliberative politics. The commonly-adopted distinction between 'consensus' and 'convergence' accounts offered by public reason liberals is shown to be faulty: indeed, such 'convergence' accounts may not be recognisable as a version of public reason at all.

Public Reason: Deliberation and Liberalism

This chapter sets out a critical reappraisal of the academic use of the term 'public reason' in order to develop a common-ground definition of the term and start to understand the discrete set of methodological and normative implications arising from it. Public reason is a more sophisticated democratic concept than that of the general will, which is closely identifiable with the folk theory of democracy outlined in Chapter Three. However, public reason is also too often misidentified or dealt with so vaguely that the analytical value of the term is lost. It seems likely the cultivation of true public reason is incompatible with most definitions of liberalism and, in practice, likely to produce undesirable outcomes within deliberative democracies.

'Deliberation', of course, is a term that means different things to different people. Yet it would be fair to say that most democratic theorists – and perhaps most scholars of democracy more generally – are now deliberative democrats of one sort or another. The ascent of this particular strand of democratic theory well reflects the quality and power of its central theorists, and the persistent appeal of the intellectual traditions which preceded and informed it. Nevertheless, deliberative procedures are not capable of solving the various problems and paradoxes at the heart of any notion of enhanced state power via the legitimising or mandate-maximising effects of certain conceptions of democracy. Indeed, the underlying theory of deliberative democracy is contestable from a variety of academic perspectives.

Where aggregative democracy is concerned with the outputs of individual decision-making processes – preferences and choices themselves – deliberative democracy belongs to a concept of democracy which is mainly concerned with the *formation, development* and *justification* of these preferences and choices. This is not to say that the world of politics in an aggregative democratic system (to take the cardinal example of the election of representatives at whatever level) is not chiefly to do with the would-be-elected (or re-elected) appealing to, bribing, coercing or otherwise persuading electors to adopt certain preferences (as in David Mayhew's influential 'electoral connection' model of political behaviour (The Electoral Connection, 1974)).⁴⁴ However, the *mechanism* of aggregative democracy, which involves the collection and combination of votes according to one or

⁴⁴ As Mayhew wrote: "[I]f a group of planners sat down and tried to design a pair of American national assemblies with the goal of serving members' electoral needs year in and year out, they would be hard pressed to improve on what exists" (pp. 81-82).

another majoritarian decision system, is completely unconcerned with the preliminary process of vote-winning, whether its effect is invisible or readily apparent. Here lies a fundamental distinction between deliberative and aggregative politics, because many models of deliberative democracy, quite unlike the aggregative embodiment of liberal neutrality, involve the *systematisation* of preference-change in line with some set of epistemic standards, and the insertion of such systems into democratic processes as a core component of the determination of democratic outcomes.

Chapter Two established the improbability of substantive consensus, whether through deliberative or other democratic means. Efforts to establish consensus-seeking politics will always be tempered by epistemic diversity and value pluralism of contemporary society, making even the approximation of consensus either unreachable or the product of the selection of an unrepresentative in-group for participation. These facts cast into doubt not only the Enlightenment view of reason, but the possibility of collective rationality itself, and calls for a reorientation of deliberative democracy away from the unrealistic condition of rational consensus and toward the more “pragmatic” objective of *meta-consensus* (Niemeyer & Dryzek, 2007; List, 2002).

Having rejected as overly-exclusionary the pursuit of outright consensus and unanimity, the epistemic standards targeted by deliberative processes are best understood in terms of *public reason*, which is the requirement that political perspectives be reasoned and justifiable in such a way that other citizens will find them, at least to some extent, acceptable *as reasons*.⁴⁵ This chapter will establish the role of public reason in deliberative democratic theory, offering a conceptual analysis that shows how it necessarily incorporates different notions of ‘reason’ and is thus a kind of hybridised concept. Problems are shown to arise when public reason is used as a justificatory standard for normative argumentation, and in particular for deliberative democracy, which seems to require that legitimate decisions should be the result of (logical) reasoning and meet the criterion of public acceptability. For liberal democrats, an emphasis on acceptance through reasoning (or acceptance of a decision or position through the acceptance of underlying reasons) would undermine the respect for individual liberty and diversity: a perspective that may be discovered in the growing literature on ‘public reason liberalism’, which entails an attempt to understand public reason beyond deliberative politics. The

⁴⁵ As the following discussion will show, the meaning and content of such acceptability is subject to contestation: under some conceptions of public reason, merely being able to recognise reasons *as valid reasons* is considered to be enough, whereas other models incorporate something more nuanced than this basic intelligibility requirement.

'consensus view' of public reason often used by such liberals should be rejected, but the alternative 'convergence view' is also problematic, apparently reducing reason to mere endorsement, and seemingly having little to do with orthodox accounts of public reason. Under the convergence view, public reason becomes the sum of any private reasons (or whims) that somehow enter the public sphere. Moreover, even this view on the place of reason seems to suggest overly strong requirements on legitimate law-making, because legitimacy here rests on acceptance.

The approaches used by public reason liberals fail, therefore, in two important ways: 1) they do not constitute public reason at all, and will not have the effects imagined by deliberative democrats who see public reason as a way to legitimize laws; and 2) it is unrealistic, since, at least in a functioning society, everyone at some point is required to adjust their actions to some law that they do not particularly prefer.

The emphasis on the formalisation of preference-formation in line with a requirement of public reasonableness never existed in classical and literal notions of democracy – this is a departure which, in the words of Joshua Cohen, aims for a democratic model which, through deliberation, embodies a “shift from bargaining, interest aggregation, and power to the common reason of citizens – democracy’s public reason – as a guiding force in democratic life” (Cohen, 2009, p. 248). Though reasonable outcomes may occur ‘accidentally’, as it were, as the result of aggregative democracy, democracy cannot be considered to be deliberative unless reasonableness is itself the objective of the democratic process (*Ibid.*, p. 251). In other words, where normal democracies build in a presumption of reasonableness because their systems are thought to be procedurally fair and even-handed, and may be productive of outcomes that are themselves reasonable, deliberation entails the incorporation of reasonableness as an end, and not merely as the means, of democracy: a desirable outcome in itself. This connection between deliberative democracy and the theory of public reason is also made explicit by John Rawls (1997), Gerald Gaus (1997), and Gutmann and Thompson, who go so far as to write that “deliberative democracy’s basic requirement is for ‘reason-giving’” (Gutmann & Thompson, 2004, p. 3).

Though the idea of consensus-seeking (and unanimity-seeking) deliberative democratic processes owes much to the 'general will' philosophy of Jean-Jacques Rousseau and his followers (in the implicit understanding that the majority will is 'truth-tracking' and opposing wills must either be incorrect, manipulated or belong outside the polity in question: see Chapter Two), the provision of venues and mechanisms with the specific

intent of diminishing political disagreement within a polity lies far beyond Rousseau's philosophy. Indeed, as I have noted, Rousseau is openly opposed to the idea of deliberation, seeing it as a potential source of trickery – a distortion of the unanimous general will. Indeed, public reason's role as a core objective of deliberative democracy is strengthened by a growing acceptance within the literature of the inescapability of value pluralism.

Various deliberative models have come to revolve around ideal notions of 'other-regarding' and 'reason-giving' participation in debate. A great deal of deliberative democratic theory takes its inspiration from one or another interpretation of the theory of communicative rationality (or, later, the 'unlimited communication community') developed by Jürgen Habermas, and thus naturally imports much of Habermas' preoccupation with the role of reasons in politics (for example, see Dryzek, 1990; Gutmann & Thompson, 1996, 2004; and the contents of Bohman & Rehg, 1997). The recognition of good reasons is entailed in the Habermasian understanding of rationality (Habermas, 1984, pp. 115-6; Chambers, 1996, pp. 90-1), as is an important differentiation between *strategic* and *communicative* action. Strategic action, which encompasses manipulation and coercion, is targeted at the realisation of goals, whereas communicative actors are interested in sharing, and finding grounds for genuine agreement on, the reasons that they give (Habermas, 1984, pp. 38-39). These reasons can derive their authority from appeals to recognised facts, expressions of personal views, and/or reference to extant social norms.⁴⁶ These lines of argument come to their political fruition in *Between Facts and Norms*, as Habermas constructs a model of political legitimation which rests upon the possibility of communicatively rational discourse (Habermas, 1996, pp. 82-85).

John Rawls' approach to political public reason is similarly imbued with ideal conceptions of reason-giving as a desirable attribute for democratic citizenship, and will be discussed in more depth below. Generically speaking, an emphasis on *reasonableness* in the public sphere is difficult to disagree with in itself: if one feels one has a good reason for one's

⁴⁶ These three sources of reasons – empirical, personal/emotive and normative – make for an interesting comparison with the three types of Aristotelian rhetorical appeals mentioned later in this chapter: *logos*, *ethos* and *pathos* (best understood as appeals to rationality, credibility and sympathy). Similarly, the Habermasian idea of an "ideal speech situation" bears some comparison with the 'ideal conditions of discourse' as expressed by Plato, which are the basis not only for agreement but for rendering of such agreement into something meaningful. Individuals coming to agreement without mutual engagement in frank, good-willed discourse will not necessarily approximate truth (Finnis, 2006, p. 11).

beliefs, one ought to express it, and the legitimating effect of widely-acceptable reasons should be relatively self-explanatory. The primary source of difficulty with concepts of public reason lies in the epistemic demands that they necessarily entail, and the political exclusivity that such demands could lead to. This chapter argues that the net effect of much deliberative democratic theory constitutes the establishment of reason-giving as a *necessary* condition for political engagement within a democracy, setting up mechanisms for exclusion and self-exclusion that may be both procedural and unintentional (see Chapter Six).

Self-justification (and public justification) of existing preferences – in normatively acceptable ways – is thus an extraordinarily important element of any theory of deliberative democracy. To justify a given constellation of choices and preferences publicly is to take a strong stance within a deliberative forum, and to take on the role of a *persuader*. To hold views and reasons that are *only internally justifiable* or *at odds with majority opinion* is to operate at a relative disadvantage within any deliberative activity.

This leads us into a maze of questions: can all reasons be *reasonable*? More specifically, can there be a non-normative basis for the assessment of the reasonableness of preferences? Is the fact of communicability in itself sufficient? Might a reason not be unspeakable, indeterminate in nature – and still be a reason? Might it disagree with the social norms of its intended audience to the extent that it may not be rationally uttered? And, given any of these, should such reasons be discounted in the political public sphere?

What is a Public Reason?

The concept of public reason is deployed by theorists from across the political spectrum, and from manifold intellectual traditions – and as a result, many divergent definitions and usages are applied to it. This chapter attempts to identify the roots of the concept of public reason, set out its most fundamental components, and critique the tendency to conflate it with the associated but distinct concept of ‘public justification’. As well as an exercise in definition and clarification, this undertaking carries significant implications for the relevance and meaning of any work that is dependent upon public reason arguments, and provides a means to better understand the tensions at the core of democratic theory to which such arguments are intended to respond.

This chapter therefore moves to two new objectives: clarificatory, and critical. The first (clarificatory and definitional) objective is to attempt to flesh out a new, relatively stable

and (hopefully) useful conception of 'public reason' – one which takes into account the possibility that this concept must, at some level, constitute a compromise between the act of reason-giving (reasoning-as-explanation) and the idea of 'reasoning' as an engagement of a higher rational mind-set (reasoning-as-rationality). The second (critical) objective is partly *implied* by this clarification: that public reason arguments, as deployed by, for example, John Rawls, effectively establish a set of epistemic demands that delimit the possible range of 'admissible' reasons. The second part of my critical arguments is composed of a critical analysis of Public Reason Liberalism as it has been developed by scholars since Rawls, focusing in particular on whether this account is at all comparable to Rawls's own apparent conception of public reason.

In contemporary liberal democracies, citizens use votes to express their preferences as best they can - or they attempt to involve themselves as representatives to be voted *for* by others. As discussed in Chapter Two, most other forms of democratic engagement are informal: if citizens or groups have a specific interest or proposal they want given greater attention, they may seek to lobby representatives to institute new policies or change existing ones; they may attempt to structure debates *en masse* or introduce new options to the range of choices that they are presented with in the polling booth. If disgruntled or angry, they may strike or demonstrate to indicate their protestation of political action, or abstain from political processes altogether. In the formation of their preferences they may engage in discussions with other citizens, involve themselves in (or simply monitor) the debates played out within state and media, or deliberate privately on the issues at stake, taking account of the perspectives of others only as they choose.

These informal democratic activities (and though it should be noted that many of these may take place in non-democratic contexts, most would agree that these activities constitute forms of democratic engagement among citizens) add up to what is often referred to as the *public sphere* of political life, where individuals or groups attempt to construct political solutions, wield political power, or support or undermine one or another party or alternative beyond the direct democratic participatory act: the act of voting, or of standing for election oneself.

Many political theorists have come to view these spontaneous and informal activities as somewhat toothless. How can an individual or group hope to have meaningful influence in the face of the well-funded lobbying of 'entrenched interests', the structured regimes of mass-membership political parties, or the institutional inertia of the state's bureaucracies and democratically unaccountable officials? This problem is surely compounded by

evidence of the weakness of the formal side of democratic participation: the improbability that an individual's vote might actually change a given outcome (perhaps best expressed in the literature that surrounds Anthony Downs' observation of the paradox of voting (1957)), the self-evident lack of influence that an individual can claim as one vote in the multitude, and the apparent ability of representatives to set agendas and structure debates in such a way as to tip the scales in their own favour (see, for examples of this sort emanating from very different political perspectives, Riker (1986) and Lukes (1974 [2005])), whose contributions are also discussed in Chapters Five and Two, respectively).

The same theorists who express discontent with the modes of engagement outlined above tend to call for an alternative formulation of democracy: a democracy that is more responsive to the popular will, with more engaged and better-educated citizenries, more opportunities to vote directly on issues rather than deferring responsibilities to representatives, and systematically more prone to achieving universal consensus than having to resort to majoritarian principles in order to choose between competing camps; a formulation of democracy that is, in effect, intuitively *more democratic*.

How to bring this alternative democracy about? For some, by promoting a *formalisation* of the spontaneous, informal democratic behaviours mentioned above; as John Dryzek puts it, fostering "a turn to deliberation that seeks reasoned agreement rather [than] the mere aggregation of preferences" (Dryzek, *Deliberative Democracy and Beyond*, 2000, p. 36). Particularly close to the heart of the notion of these 'more democratic' democracies - let us call them *deliberative democracies* - lies the idea of *public reason*, which is the effective formalisation of the accounts and justifications that are made in support of a certain choice or perspective. Political reason-giving - and the associated idea that there exists a particular, preferable flavour of such reasoning that is in some sense *public* - provides the basis for a version of deliberative democracy that need not be consensus-seeking in anything but the general definition of what should *count* as an acceptable reason. Public reason therefore offers a possible escape-route from the value pluralism that renders outright consensus so improbable.

Deliberative models of democracy do not represent the only theoretical usage of the concept of public reason, however. Another (relatively heterodox) perspective is based upon an interpretation of John Rawls' use of public reason as a justificatory standard. This view, which has been the subject of extensive treatments by Gerald Gaus (2011; Gaus, *Public Reason Liberalism* (working paper)) effectively develops the role ascribed to public

reason by Rawls, so that it takes on the form of a generalised response to the “problem of conflicting private judgement”.⁴⁷

Where Gaus pursues an analysis of public reason liberalism as a critical outgrowth from social contract theory, and so determines its presence, effectively, in the theories of enlightenment contractual theorists such as Hobbes and Locke, the next section attempts to trace the basis of this concept in a different way, starting with an interpretation of the role of reason in Aristotelian rhetoric, and developing this to explore plausible intuitive definitions of what I conclude is a rather strange, ‘hybridised’ notion. This offers a lens through which to critically consider its usages by both Rawls and Habermas, and determine if they are essentially conflating the *act* of ‘reason-giving’ with a kind of classically idealised *mind-set* of ‘reasonableness’ or ‘reasoning’. This allows a re-examination of the potential for public reason liberalism, focusing upon the recent explication offered by Kevin Vallier (2011b). Public reason liberalism, like the Rawlsian theory from which it is developed, is political thought in the ‘ideal’ mode, and is thus to some extent protected from simplistic critiques that would accuse it of being unrealistic. That said, public reason liberalism is questionable on a conceptual level as well, in so far as it appears to offer a vision of liberalism that satisfies few of the usual expectations attached to such an ideological stance, while also presenting a version of public reason that does not seem to be commensurable with any other widely-used version of that concept.

A ‘Hybrid Concept’

The human capacity for *reason* has long been understood to be a key basis for our ability to form polities. Reasoned speech (*logos*) was identified by Aristotle as the key distinction between human beings (as political animals) and other living things (as set out in Book 1, Chapter 2 of the *Rhetoric*). Aristotle also described two other forms of rhetorical ‘appeal’ alongside the reasoned argument of *logos*. One was *ethos* – the establishment of a speaker’s credibility, as a kind of *a persona* (to be considered as distinct from the usually negatively connoted *ad hominem*) persuasive device; an argument from the speaker’s

⁴⁷ For a recent, compelling critique of Gaus’s approach to public reason as a justificatory standard, see Rossi (2014), who argues (in somewhat similar terms to those in this chapter) that many issues arise from the way that the benchmarks of acceptability for reasons are drawn out in Gaus’s theory.

character, in essence. The third form of appeal was *pathos*, or the emotionally evocative appeal (Ramage & Bean, 1998).

Interestingly, all of these rhetorical appeals – the logical, the emotional, and those based upon personal credibility (or character) – would today be intuitively recognised as forms of *reasons*, when using that word as an English noun. The noun *reason* indicates an excuse or a post-hoc explanation – we might ask, “What were your *reasons* for hitting the table?” Reasons of this sort may well be logical or causal explanations (“I saw a mosquito and tried to kill it”), or emotional (“Why shouldn't I hit the table? Why can't I hit whatever I choose? Isn't this a free country?”), or, indeed, based upon the standing and credibility of the speaker (“Trust me, I have my reasons for hitting the table. You know I never do anything without a good purpose.”)

Yet the original *logos* – the classical ideal of *reasoning*, as an activity that elevates the logical human above creatures given only to passion, need or want – attaches more specifically to the use of the word *reason* as a verb. When a person is said *to reason*, the understanding is that the person is deploying logical or rational explanations, and not merely excuses. The act of reasoning may not, in fact, be external at all – may not be a rhetorical tool or a state of communication – but a form of internal deliberation and reflection.

When political theorists ask us, as democratic citizens, to *reason*, and to *reason publicly*, what are we actually being asked to do? The most literal understanding might be to present externally - to make *public* - the rationalisations and logical, evidential basis for our conclusions, which previously might only have been internal, or private. This would appear to conflate the speech-act of reason-giving with the mental state of reasonableness to some extent: where the communicative reasons, if they are to count as publicly acceptable, must also be logically *reasoned*.⁴⁸

The implicit expectation in the term 'public reason' is thus that such reasoning is a communicative explanation that also carries some hallmarks of logic, while Aristotle might understand that some of our public reasons would be logical, but that a great many others would not be. Moreover, as Chambers has pointed out, Aristotle's stance on rhetoric was “that a proper use of emotion and an appeal to character need not detract from or undermine the claims of *logos*” (Chambers, 2009, p. 335). Contemporary theorists of a

⁴⁸ There may be another element to consider here as well - the idea of *public reasoning* seems to imply something collaborative about the act of reasoning as well, as if the public is itself an entity capable of reason. This is a consideration which will be of more importance later in my analysis.

hybridised concept of reason, then, are setting some quite new limits on the range of *reasons* that are acceptable within public discourse. Indeed, Chambers (and others) are beginning to become concerned with the need for a “rehabilitation of emotion and character as legitimate forces of persuasion” in the public sphere (*Ibid.*, p. 334).

Let us attempt to examine the hybrid-form of the word 'reason' more closely. The *giving* of such a reason may, intuitively, encompass a number of overlapping communicative activities. A reason may be a *causal account for a certain decision or preference*, or it may be some sort of a *justification* (perhaps moral, normative, utilitarian, or some combination of these).

Perhaps the most significant necessary condition for this kind of hybrid reasoning may be that *its content is plausibly understandable by those with whom one is attempting to reason*. This constitutes an additional new requirement - that the logical content of a public reason be accessible and understandable to others (why else make the reasoning public, after all?). Thus the requirement is that a reason must have some recognisable meaning associated with the preference, decision or action in question. For example, I may eat a cupcake and give a whole battery of at least notionally *public* reasons as justification: that “I was hungry” (a justification based on simple utility maximisation), that “it looked nice” (aesthetics), that “I did not want *x* to eat it” (soft paternalism or simple *schadenfreude*), that “it was about to go stale” (imposed necessity), that “I was rewarding myself for *y*” (self-reward), or that “I had a bad day” (self-consolation).

All of these intuitively count as *reasons*. Some of them, of course, may be lies – factually untrue – yet a reason does not necessarily need to be truth-tracking. The key element is that with these explanations the cause or personal justification for the action in question is communicated. Crucially, however, different individuals will accept the *legitimacy* of these reasons to differing extents. There can be no single universally acceptable reason, even if there can (and this is questionable) be a universally recognised form by which to *identify* what a legitimate reason is.

A *reason* in the *public* sense – and in the sense in which the word is used by theorists of deliberative democracy, among others – requires additional components. The notion of reason-giving is allied to the deliberative ideal of 'other-regardingness'. Ideally, a reason deployed in a deliberative forum would need to account for – be recognisable as a reason to – individuals with alternative points of view. And, in fact, reasons that are expressed in such a forum and fail to be publicly persuasive may not be considered to be *reasonable* at all. As Robert Talisse puts it, although there is some discussion in the literature as to what

a reason *is*, most deliberative democrats seem to be certain about what a reason *is not*: “there is general agreement that appeals to power or expressions of private interest do *not* count as reasons” (Talisie, 2004, p. 456).

This notion of *public reason*, most notably when employed by John Rawls, requires that reason-giving incorporates normatively accepted political values, “non-controversial” scientific evidence, as well as some rational content – that a given reason, quite minimally, *makes causal sense*; a component that alone seemed a sufficient condition for a definition of hybrid reason-giving in the intuitive or spontaneous mode described initially above (Rawls, 1971, pp. 416-7). Rawls is explicit about the assumptions incorporated into this part of his theory. Specifically, he accepts that he depends upon “a certain competence on the part of the person deciding: he knows the general features of his wants and ends both present and future, and he is able to estimate the relative intensity of his desires, and to decide if necessary what he really wants ... he can envisage the alternatives open to him and establish a coherent ordering of them” – in other words, “the familiar notion of rationality” that Rawls employs throughout his work (*Ibid.*, pp. 418-9).⁴⁹

The key admixture to the Rawlsian notion of public reason is what he calls the *duty of civility*, which is intended to capture the basis for other-regarding arguments. ‘Nonpublic’ reasoning has some obvious limitations when one is interested in establishing some preliminary principles of justice or constitutional bedrock, so “public reason with its duty of civility gives a view about voting on fundamental questions in some ways reminiscent of Rousseau’s *Social Contract*” (Rawls, 1997, pp. 98-99), a comment which certainly helps us to understand Rawls’s conception of Rousseau’s work.

Rawlsian public reason is thus definable as the set of reasons (ideals, moralities, principles and approaches) which are intuitively accepted as *good* (which is not necessarily to say *right*) by the public – so that a public reason is any reason which the public “may reasonably be expected to endorse” (Finnis, 2006, p. 3; Rawls, 1993). This is clearly a more stringent set of requirements for a communication to qualify as a *reason* than the spontaneously-produced instances described above, and places a far heavier burden on participants of a public sphere if they are to be considered to be reason-givers.

It is also worth reminding ourselves that, while Rawls explicitly rules out the existence of fully *private* reason (*Ibid.*, p. 220 – a comment which points to Rawls’ dependence on the

⁴⁹ This economic framework, like so many others, represents an argument about human behaviour that may in fact be empirically testable within the field of political psychology.

work of Wittgenstein), he establishes that a variety of non-public reasons must exist. Crucially, while “there are many nonpublic reasons”, there can only be “but one public reason” (Rawls, 1997, p. 99). In other words, the realm of public agreement is only such where it produces a *unitary* reason. If an agent attempts to reason publicly but falls outside of the mainstream in the established set of meta-agreed rules, we must presume (in line with Rawls) that she is either not a part of the public, or has failed to be reasonable. We are presented with a public reason that is amorphous along two axes, based upon a notion of reason that has no pre-set boundaries – everything is effectively contestable within the Rawlsian polity – and a notion of a polity that can only be composed by those who have settled upon the same set of common agreements as their fellows.

One must presume from this that the set of meta-agreed principles achievable through reflective equilibrium is expected to be quite small. Indeed, many of the issues arising from the theories of deliberative democracy that followed Rawls seem to stem from the employment of a system of reasoning proposed by Rawls for consideration of fundamental, meta-agreement issues (such as first-order constitutional design and amendment) being exported to the broader political sphere of public decision-making.

These requirements seem to form significant epistemological hurdles for those who would reason publicly along the lines that Rawls sets out. The Rawlsian public sphere tacitly excludes from public reason what Rawls calls *unreasonable comprehensive doctrines*: truth-testing discourses based on ontologically 'complete' philosophical or theological positions, which leave no room for reason-agreement with those from differing perspectives. Rather, the public sphere is a venue for *overlapping consensus*, wherein agents are responsive to the minimal requirements of engagement set out by others, capable of at least tolerating (and being tolerated by) their counterparts – or, even better, a greater degree of convergence in the preferences of actors (Rawls, 1971, p. 517). Moreover, each participant would need an understanding of “what each regards as a political conception of justice based on values that ... others can reasonably be expected to endorse” and be “in good faith prepared to defend that conception so understood. This means that each of us must have, and be ready to explain, a criterion of what principles and guidelines we think other citizens (who are also free and equal) may reasonably be expected to endorse along with us” (Rawls, 1997, p. 104).

Jonathan Quong articulates the presence of a kind of hybrid duality in his discussion of the Rawlsian notion of public reason, explaining that it necessarily entails a pre-established

concept of justice *as well as* a categorical stipulation of what reasoned speech should comprise of: “the virtues of reasonableness and civility” in addition to a complete and coherent position on the constitutional essentials that are to be decided (Quong, *On the Idea of Public Reason*, 2014, p. 267). Yet the respect for legitimate pluralism that underpins Rawls’s advocacy of liberal politics must necessarily be in some degree of tension with the substantive ‘half’ of his concept of public reason (the nature, in the terms employed here to describe public reason, of the specific mindset of reasoning that is considered to be publicly acceptable when employed to underpin given reasons). For though Rawls is clear that any notion of justice will serve this role, a notion of justice there must be – and it is clear that the public acceptability of different reasons will hinge upon their being informed by conceptions of justice that are at least somewhat comparable and commensurable: “values which are robust across different conceptions of the good” (Quong, 2011, p. 17). The existence and dependability of such values, and their ability to be formulated into reasons, are a decisive factor in whether or not the politics of public reason is inherently exclusionary.

Jürgen Habermas employs a similar understanding of public reason: his ‘rules of discourse’ ensure that deliberative participation is narrowed only to those who are *competent*, or equal to the epistemic burden of reason-giving (Habermas, 1984, p. 21). From here, Habermas distinguishes between compromise and consensus: “whereas parties can agree to a negotiated compromise for different reasons, *the consensus brought about through argument must rest on identical reasons that are able to convince parties in the same way*” (Habermas, 1996, p. 339). Habermas also specifies that “only those statutes may claim legitimacy that can meet with the acceptance of all citizens”, and it is no great leap to suggest that greater legitimacy may lie, from the Habermasian perspective, with outcomes originating from *consensus* rather than mere *compromise*. Habermas thus sets out a notion of public reason that is built from universally acceptable reasons, and as a result is not only consensual by nature, but consensus-seeking in its outcomes.

It is unclear whether Habermas’ requirement for identical reasons, like Rawls’s various requirements, are intended to have a delimiting effect on both the scope and the membership of decisions settled through a process of public reasoning. Mark Pennington points out that for Habermas, any “‘exit’ mechanisms ... [would] discourage the processes of public argumentation necessary to make people aware of the interests and values of others” (2011, p. 52). In other words, where Rawls is deploying an idealised vision of publicly reasoned constitutional formulation, Habermas appears to be attempting to theorise a *way of being*, and an ideal recasting of political norms. An apparent internal

contradiction lies in the difference between Habermas' preoccupation with "communicative competence" (as in *What is Universal Pragmatics?*, 2000) and the principled openness of the ideal speech situation, which stipulates in part that "everyone is allowed to express his attitudes, desires and needs", and that this cannot be prevented by either "internal or external coercion" (Habermas, 1990, p. 87). If we are concerned with the potential for a theory of public reason forming the basis for an exclusivist politics, then Habermas does not necessarily answer our every question: we must assume, perhaps, that Habermas intends that any act of exclusion on the basis of competence-to-reason occurs before the ideal communicative action of the public sphere can take place.⁵⁰ Crucially, however, it becomes clear from Habermas' later writings that his position on public reason is very comparable to that of Rawls, and indeed may be considered to carry similar implications for the participation of parties operating on the basis of comprehensive doctrines that are deemed to be unreasonable, prompting Habermas to offer a partial critique of Rawls' approach to such questions in his *Religion in the Public Sphere* (Habermas, 2006).

Geoffrey M. Vaughan expands the 'public ignorance' debate with his recent discussion of the possible lessons derivable from the esoteric tradition for deliberative democrats (Vaughan, 2010). He points out that, even if deliberative democrats are correct and widespread public ignorance is a solvable problem, the broader issue is that Habermasian deliberation relies upon sweeping assumptions as to some essential components of human behaviour. After all, a simple (or even simplistic) understanding of a certain phenomenon – incomplete or abridged knowledge – should be described as 'ignorance' only grudgingly. Differences in individuals' responses to an identical argument may, Vaughan explains, have less to do with actual *ignorance* and more to do with human individuality (Vaughan, 2010, p. 300). To further extrapolate from Vaughan's insight, it is on this basis, after all, that Rawls' reflective equilibrium is originally called for – to create a space of meta-agreement between actors from different yet legitimate positions – and to suggest that a deliberative forum is capable of legitimising a politics *despite* ignorance and necessary individuality is really to recall Rousseau's notion of a general will (an idea

⁵⁰ Knight and Johnson (2012, p. 131) offer a persuasive critique of Habermas' use of a theory of communicative action to underpin an argument in favour of 'discursive democracy', arguing that there is a disconnection between "the force of the better argument" and the distinction he renders between speech which is intended to produce understanding - a "communicative action" - and speech which is intended to generate agreement. Indeed, it seems strange that communicative acts are considered by Habermas to be so distinct from strategic ones, given that 1. the objective of shared reasons is a realisable goal that one can 'win', and 2. communicative action can carry with it strategic value if it facilitates the achievement of some other objective.

whose relevance to modern deliberative democrats will be discussed in some depth in a later chapter). These levels of 'ignorance' (or, at least, epistemic difference) in an individual, such as literal lack of knowledge or understanding of a given question under discussion, would lead to the individual in question being ineligible for a deliberative forum in Habermasian mode. Public reason, as much as the demand for rational, substantive consensus, is a plausible basis for the erosion of universal participation.⁵¹

Is Public Reason Exclusionary?

An interest in the reasons that lie behind preferences changes the emphasis of democratic mechanisms from actions (preference-outputs or even speech-acts) to intentions. Such an emphasis, it is hoped by theorists of deliberative democracy, will improve the content of democratic decision-making and/or strengthen the legitimacy of the results of democratic choices.

Having recast, in the previous section, the 'convergence view' of public reason as not really dealing with a concept of public reason that would be recognisable to the mainstream of democratic theorists, we may reduce our critique to a simple claim: theorists advocating Public Reason as a democratic principle are proposing a radical limitation on the range of possible communications that citizens might use to effectively justify their perspectives and choices in the public realm.

This necessarily involves a heavy epistemic burden on would-be participants. Consider the following three categories of requirements: Reason may be called Public Reason when the reasoner fulfils certain burdens of:

1. Knowledge. Actors must have a certain minimal amount of knowledge and understanding of the issue under discussion in order to deliberate effectively (meeting the requirement for rational or logical content)
2. Selflessness. Actors must reason in an other-regarding and unselfish way, in line with a notion of the public interest (meeting the requirements of a duty of civility)

⁵¹ One could plausibly go much further than Vaughan and suggest that epistemic differences (in knowledge, or of other sorts) are intractable components of human behaviour, since the meaning of communicated reasons is subject to near-infinite differences in individual interpretation.

3. Similarity. Actors must not be difference-seeking and must not use reasons that are not considered to be reasons by others (meeting the requirement that they not be so different from one another as to rule themselves out of the public altogether).

This chapter focuses on the latter two categories of requirement; literal public ignorance, as a primary concern for advocates of forms of democratic exclusion who are not part of the tradition of Public Reason, is the subject of scrutiny in Chapter Three. Let us take these requirements in turn, briefly discussing knowledge before turning to selflessness and similarity.

Knowledge

It is clear that individuals must have a certain minimal expertise in the question under scrutiny in order to deliberate effectively. While this is not often emphasised by theorists of deliberative democracy (who prefer, like James Fishkin, to emphasise the educative benefits of mass public deliberation), any commitment to public reason (entailing, as this commitment must, a certain standard of coherence) necessitates at least a passing familiarity with the kind of knowledge that will facilitate the decision at hand. Unfortunately, as a large and growing body of evidence shows, many (if not most) individuals are ignorant (and often radically ignorant – ignorant as to the extent of their own ignorance) about political issues and ideas. A great many individuals may thus be too ignorant at the outset to reason in a 'public' way - although a general argument against democracy on the basis of human ignorance belongs elsewhere. Many theorists and advocates of public reasoning would argue that deliberative systems are actually a very powerful way of communicating political information, and of effectively educating participants even as they engage in the public sphere. Yet the effectiveness of systematised deliberation for information-exchange can only be taken as a benefit of such a system if individuals manage to overcome their ignorance and apathy enough to participate in a deliberative forum in the first place. The intuitive emphasis on literal knowledge thus at least raises the costs of engagement in a publicly reasoning democracy.

Another relevant strand of this debate revolves around the possibility that ignorance may not be significant when set against the other benefits brought about by mass-participation decision making. Many of the social-psychological (or purely mathematical) phenomena catalogued by Cass Sunstein in *Infotopia* indicate that, for certain kinds of decisions, the wider the range of individual opinions that are aggregated together, the more closely the collective decision will track the truth (assuming, of course, that the case in question is

dealing with some kind of ascertainable truth-value). For example, the old fairground activity of guessing the weight of an animal or the number of beans in a jar often shows that the average of all guesses is closest to the truth. This is greatly encouraging until one realises that, to paraphrase The Marquis de Condorcet, if we assume that more than half of the participants are more than half-likely to make a decent guess, the average of all guesses will iron out the outliers and lie somewhere in the middle of all the decent overshoots and reasonable fall-shorts. In any case, deliberative procedures may not be the ideal means of capturing a 'wisdom-of-crowds' effect, which actually bears more resemblance to a market of individual value-setters than a forum of reasoning debaters (Sunstein, 2006).

Let us instead turn to the idea of self-interest as a barrier to democratic participation, as effectively set out by the second category of epistemic requirement indicated above.

Selflessness

Public reasoning necessarily entails a classic set of Rawlsian, quasi-republican 'public virtues': other-regardingness, for example, or, to put it simply, the idea that individuals must attempt to reason in a selfless, publicly-interested way. This raises the uncomfortable possibility that many individuals may simply be too self-interested to reason publicly - that is, their reasons may not be 'admissible' to a process of public reasoning due to their insistence on privately-reasoned motivations. As Cohen puts it, "[T]he interests, aims, and ideals that comprise the common good are those that survive deliberation" (Cohen, 1997, p. 77).

This may also give rise to the possibility of an emphasis on public reason which produces a situation where an individual who is economically rational (that is, acting upon a private interest that lies in what would maximise personal utility) would be effectively excluded on the basis that they are not being reasonable enough (at least in the public sense). Is it possible that all rational decisions also be reasoned about? The Public Reason response to this problem is to simply only consider the set of reasons that are publicly acceptable. Perhaps more significantly, a deliberative process based on a concept of public reason would reduce the likelihood of participation by rationally self-interested individuals, who would fear that their beliefs or choices would seem selfish to the wider majority. Where, then, do minority rights stand in a situation of systematised public reason? And from where do we derive the absolute values required to judge one set of reasons as being too self-interested to be democratic? It is unrealistic – and contingent upon a Rousseauian notion of the 'general will' – to demand only sociotropic arguments from citizens.

Similarity

Public Reason – in its commitment to the importance of generally-accepted coherence in the reasoning of its participants, as well as its apparent emphasis on consensual political ends (even if the consensus lies only in the realm of meta-agreement, rather than a substantive, Rousseauian general will) – appears to be inimical to human difference. Whether a notion of public reason is compatible with a democratic commitment to multiculturalism is a question of some contention. Is it possible that individuals may be simply too different from each other to succeed in reasoning publicly? They may have different (and unpredictable) responses to the same sets of information, as illustrated by the ubiquity of 'irrational' framing effects. Is it true to say that all individuals are likely to (meta-) agree, even very minimally, on what counts as a reason, as (for example) Rawls asserts?

The two questions raised by the requirements of similarity and selflessness most pertinent to the rest of this chapter run as follows:

1. Would a system of public engagement emphasising Public Reason count as democratic if such a communicative failure leads to the exclusion of some individuals from the deliberative process?
2. If, in fact, we cannot reliably articulate our views in a way that everyone will understand, then what hope is there for public reason?

To address the first question: just as in the requirement of selflessness, it behoves us to study the basis and desirability for any such exclusion. What manner of preference orderings might be eliminated or made less likely through publicly-reasoned deliberative democracy? The work of David Miller proves particularly useful in answering this question, as it categorises the kinds of irrationalities which deliberative processes, founded upon the presumed advantages of public reasoning, would help to combat. First, there are those which are “irrational because they are based on false empirical beliefs”, an advantage which speaks directly to the first category of requirement (knowledge) set out above (Miller, 1992, p. 61). The assumption here is that a formal deliberative process will increase each individual's proximity to the understanding of given empirical truths underlying a decision. This assertion depends upon what is arguably deliberation's greatest and least controvertible asset: discussion is an effective means of pooling information; an efficient educative and information-distributing tool. Nevertheless, to claim that one might avoid falsehoods is also implicitly to claim that we might access extant truths, and be more likely to do so when publicly reasoning. Even if such truths

exist, they may not always be readily recoverable in the case of complex moral questions. Is it likely that a deliberative process that emphasises the discursive dominance of majority groups will result in truer, rather than simply more popular, responses to divisive moral questions? I think not, and though there is no doubt that some advantages are attached to increased political popularity, this is rarely the explicit goal of deliberation and public reason theorists; moreover, enlarged democratic mandates for political action on the part of governments cannot always be deemed desirable.

Miller's second example of a preference-ordering which would not survive deliberation – that is, a potential basis for either 'preference laundering' or exclusion from the deliberative process – is that of "preferences that are so repugnant to the moral beliefs of the society within which the decisions are being made that no one is willing to advance them in a public context", and Miller illustrates this with "the position of racist beliefs in contemporary Britain" (1992, p. 61). This point accretes with what Miller describes as "most important": the likelihood that people engaged in deliberative processes will be unable to maintain self-serving or self-interested preference arrangements; rather, in Robert Goodin's words, they would be required to "launder" their position in order to render it more publicly acceptable (*Ibid.*). What Miller and Goodin are describing is a widely understood feature of social psychological studies: the human propensity for conformity in group dynamics, as demonstrated by a large literature of classic experiments in the field. In operative terms, preference orderings may change; in actual terms, the incidence of inaccurately-reported 'true' preferences seems liable to grow dramatically. Where this is not the case, 'laundering' may be demonstrative of actual change in deliberators as a result of processes of public reasoning. It is therefore not clear that the creation of formalised venues for the orchestrated preference change of minority opinion-holders is desirable: as Chapter Six will show, laundering, falsification and exclusion are, in the end, the probable sources for increased conformity in publicly reasoning polities. Deliberative democracy need not be based upon an implicit or explicit notion of the general will and specifically seeking substantive consensus in order to plausibly erode the universal franchise.

Public Reason Liberalism: Consensus vs. Convergence

Having set out a fairly clear view of public reason – a hybridised notion, incorporating logical *reasoning*, communicative *reasons* and a requirement of public acceptability that seems to carry a strong and epistemically stringent requirement for 'competence' on the

part of citizens – it is important to discuss whether it could be understood as central to a form of non-deliberative politics, or whether public reason, by any reasonable definition, *implies* deliberative democracy. This section discusses ‘public reason liberalism’, and whether the notion of public reason employed by such liberals is in fact something else altogether.

Kevin Vallier’s *Convergence and Consensus in Public Reason* (2011b) summarises a sizeable literature that represents a common critical approach to public reason, and thus will also serve to throw light on some of the deeper epistemological assumptions carried by many who employ arguments from public reason. Public reason liberalism holds that all coercion (and thus, in effect, any political act with implications for citizens) needs to be publicly justified. That is, the reasons for the coercion or political action should be presented to the polity, and individuals should be able to accept these reasons in order to also be subject to the action, rule or coercion. If there is no conclusive reasonable basis to endorse the coercive policy then we may safely assume that the citizen ought *not* to be subject to coercion.

The foundational assumptions behind this view - to paraphrase the formulation so clearly set out by Vallier, and with emphasis added - are as follows:

1. The Liberty Principle - no individual should be subject to unjustified coercion.
2. The Public Justification Principle - A coercive action is justified if and only if *each and every member of the public has conclusive reasons to endorse it* (Vallier, 2011b, p. 262)

From this basis, we can then derive two understandings of public reason. The first, held by thinkers such as Rawls (though Vallier rightly points out that Rawls’ engagement with these questions was quite nuanced, and possibly changed over the course of his career), is consensus-based. The consensus view holds that individuals ought to agree on each other’s reasons - or at least agree that each other’s reasons *are reasonable* - when endorsing the coercive action in question. Thus my reasoning is public reasoning, and contributive to a public justification of some rule, *if it is endorsed by the other members of the public*. The strength of that endorsement may vary, so the consensus view comes in two flavours. *Strong consensus* requires that individual reasons be shareable. *Weak consensus* merely requires that reasons are mutually accessible.

Alternatively, and far more to Vallier’s liking, we might take the *convergence* view. From this perspective, it matters little that the reasons behind individual endorsements may not agree with one another; indeed, it is not required that the reasons be acceptable or

definable *as reasons* for every member of the polity. Even if person A endorses a policy on the basis of a terrible line of reasoning (from the standpoint of person B), the only important factor is the endorsement itself. Vallier therefore essentially presents us with a possible typology for public reason liberalism:

1. Convergent Public Reason Liberalism - requiring the conclusively reasoned endorsement of all citizens
2. Consensus Public Reason Liberalism, incorporating:
 - a. The *Weak Consensus view*, where citizens' reasons are mutually intelligible as reasons
 - b. The *Strong Consensus view*, where citizens' reasons are mutually accessible and/or sharable

I agree with Vallier and others that the convergence view seems to be preferable to the consensus view. Vallier argues persuasively that the consensus view leaves us in a situation which does not appear to respect individual liberty and a diverse society, which seems strange for what is at least notionally a liberal conception of political justification.

However, I cannot offer complete endorsement of convergent public reason liberalism, as I fear that some problems have crept into the formulation of the principles of public reason at an initial stage, and the perspectives outlined above seem to raise as many problems as they resolve. Let us detail the three main problems that are raised by the typology of public reason liberalism offered above:

Acceptance and Falsification

First is the perennial problem of what it means to *accept* a given reason. Vallier breaks acceptance down into two tiers: shareability and accessibility. Yet it is very difficult to find definitions of these that are not vaguely drawn. For example, is another individual's reason accessible to me if, very minimally, I recognise it to *be* a reason (and even if I do not agree or cannot imagine agreeing with it)?

Suppose that person A endorses a set of banking regulations on the basis that they believe certain banking practices require regulation in the face of a recent financial crisis, and person B endorses the same regulations because they think that all banks are owned by a certain minority group, and they hate that minority group, and wish to punish them with the imposition of such stringent regulations.

If person A is presented with person B's reasons, they must on a *communicative* level understand them *as reasons*. B's reasons clearly identify a causal basis for endorsing the policy, and this explanation is at least internally consistent. Thus, under the weak consensus view, would person A be able to proceed? Probably not. Holders of the weak or strong consensus views would likely argue that there is a lack of external verifiability to B's claims, or that they are the product of an unreasonable comprehensive doctrine.

(Holders of the convergence view, meanwhile, would move on, unconcerned about individual reasons so long as universal endorsement is achieved. Even by somewhat idealising the agent/reasoner, so as to exclude from our thought experiment the possibility of reasons that seem to fall obviously short of some extremely basic epistemic requirements (such as some racist conspiracy), we are still faced with an exclusivity rule that takes systematic issue with some sets of beliefs while tolerating others.)

Here lies the first issue: could not person B simply frame their reasons similarly to person A (in the public realm, at least)? Where is the significance of the public justification requirement where an individual's public utterances may not be reflective of his or her internal reasoning - in a world, in other words, where anybody, at any point, may be lying? Again, since we are dealing with ideal theory, we could simply rule out the possibility of bargaining strategies such as deception, and model a polity composed only of *sincere* reasoners. But the realism of this claim - that an agent with extremely unpalatable reasons will tend to self-exclude or misrepresent their reasons in their pursuit of agreement - may cause us to wonder whether there is need for a perspective other than the consensus view.

So far, this is an issue of the consensus view of public reason, and one similar to Vallier's own. However, this issue would appear to be as damaging to the convergence account as it is to the consensus view, if only because there is little reason to theorise a view or public reason that is unconcerned with the acceptability or shareability of reasons when the reasons that are asked and offered can never reliably be said to be representative of an individual's preferences anyway. Perhaps some weight may be attached to the convergence view under these circumstances simply because it is a system that seems less likely to elicit falsified reasoning in the public realm, but this could only be true in so far as the convergence view doesn't require any reasons at all. Let us scrutinise this feature of the convergence view in the next section.

Is the Convergence View 'Public Reason' at all?

The convergence view, in Vallier's words, "rejects both shareability and accessibility" requirements in its definition of public reasons (p. 262). If so, then the convergence conception is very likely not a conception of public reason at all, but rather a kind of individual-mandate contractualism.

Vallier seems (probably rightly, given the above) to have given up on the possibility of consistently shared reasoning. My reasons may not be comparable to yours, or even recognisable to you as reasons (Vallier, 2011a). Our approaches to a given problem may, in fact, be incommensurable. But if we both endorse a given policy, we might agree, then why should we care what reasons lie behind these endorsements? For example, we both gave our approval to that banking regulation proposal - why should it matter to me that your reasons (if I were ever to be exposed to them, which under the convergence view hardly seems necessary) would seem utterly alien to me?

This approach, while attractive, does not seem to bear many of the hallmarks of public reason as it is usually understood. While Vallier, Gaus and others argue that public reason liberalism reflects, like most conceptions of public reason, a central set of basic liberal commitments, the dismissal of any substantive form of shareability or accessibility effectively constitutes the rejection of *reasons* in any communicatively meaningful sense. Moreover, the act of inviting the privately reasoned assent of individual citizens is not the same as transforming those private reasons into public reasons, which are supposed to be a different kind of reasoning altogether. Public reasons are not simply the set of private or non-public reasons which happen enter the public sphere. Intrinsic to the notion of public reason is a state of mind that takes into account the basic plausibility of one's reasons being acceptable to the wider public.

The result is that most public reason liberals or deliberative democrats would see this convergence view as being too weak to produce many of the outcomes that are deemed to be the most useful and beneficial outcomes of a commitment to reasoning publicly. For example, public reason is not only supposed to *require* consensus, but to *foster* it, as it views consensus as a public good in itself. The very act of public reasoning (in, say, a deliberative forum, or in a Rawlsian original position) is designed to encourage agreement by narrowing the set of plausible perspectives to only those that are acceptable in the public forum.

This thought leads us to a third challenge, and possibly the most problematic, for the convergence formulation of public reason liberalism, which the following section turns to below.

Coercive acts cannot feasibly be constrained to those that are publicly justified

An important complication is raised by the Public Justification principle, as we are left in some doubt over what we are to understand by ‘justification’ – specifically, whether the presence of “conclusive reasons to endorse” a given action is significantly different from *endorsing* said action. This is more than mere semantics. It is plausible, after all, that one might have reasons – ‘good’ reasons – to endorse a policy *at the same time* as having ‘good’ reasons to reject it.⁵² Calvin might reason that he desires increased security, and so wish to endorse intrusive counter-terrorism measures in airports, at the same time as strongly disliking the invasion of his privacy, and so wish to oppose the same measures.⁵³ Similarly, if Susie hates a given policy, but respects and endorses the constitutional foundations and fairness of the establishment of the government that introduced said policy, is this strong enough to be considered to constitute Susie’s reasoned endorsement of the policy?

It is clear that the key term here is “conclusive”, which enables us to understand that the Public Justification principle operates on the basis of (public) reasons that lead a member of the public to *conclude their reasoning with an endorsement of the policy*. However, this seems to throw out the possibility of weak, preliminary Rawlsian contractualism, where one is bound to accept the laws produced by governments which are established in a way that one finds fair – in effect, allowing us to collapse “conclusive reasons to endorse” to simply “endorse”. As usual, the stringency of this requirement may not be interpreted as handing every citizen a legislative veto⁵⁴ – more likely, under this view, the citizen who fails to find conclusive reasons to endorse the actions of the state *ceases to be a citizen*.

⁵² This raises the possibility that perhaps the term ‘reason’, when discussed as a justificatory standard, is really addressing a ‘final’, established opinion or perspective on some topic, rather than the constituent reasons-to and reasons-to-not that have contributed to the internal deliberations over that perspective. Where this leaves the role of public reasoning as a persuasive process *between agents* is difficult to determine.

⁵³ Gaus uses the plausibility (or otherwise) of such ‘schizophrenic’ internal disagreements as grounds on which to critique some interpretations of Rousseau’s concept of the ‘general will’ (see *Does Democracy Reveal the Voice of the People? Four Takes on Rousseau*, 1997, p. 145)

⁵⁴ Perhaps the ‘unit’ of endorsement need not be a certain specific policy, considered in isolation. As mentioned above, the original Rawlsian perspective seems to be contractualist in the sense of defining the parameters of a polity’s foundational constitution.

If this analysis is correct, then according to any of the views of public reason outlined above, there has likely *never* been a legitimate law. Because the foundational principle tells us that coercive acts have to be justified to citizens, and that justification must take place on the basis of "conclusive reasons" on the part of each and every citizen, then we must square this with the fact that it is a commonplace for citizens to become subject to coercive acts which have only been legitimised to a majority (or, often, not even a majority!) of the public in the ways specified by public reason theorists. For similar reasons, David Estlund (2008, p. 4) makes an early dismissal of democratic theory that implies the need for the consent of all citizens on the basis that this is "not a plausible constraint."

The distinction to be rendered here may best be understood as between Kantian and Humean notions of public consent. Kant appeared to be echoing – or even extending – the Rousseauvian concept of the general will when he wrote in his essay on *Perpetual Peace* that "only the uniting and consenting will of all – that is, the unanimous and combined will of the people by which each decides the same for all and all decide the same for each – can legislate" (Bohman, 1997, p. 256). This would appear to implicitly contain a principle similar to the principle of Public Justification set out above, particularly if we understand "conclusive reasons to endorse" to be essentially synonymous with 'endorse'.

An alternative understanding of political consent was most famously framed by David Hume, who did not accept that citizens could maintain a right to exit – that is, that they could, in blunt terms, 'vote with their feet' – and thus, by remaining in a place, were giving consent to its laws and taking on the attendant obligations to obey them (Hume, 1953 [1752], p.51). It is also clear that rejecting this tacit consent rule could not add up, in Hume's opinion, to anything like the Public Justification principle. Rather, Hume seems to have believed that obligations and citizenship were determined by the broader utility of a given political context.

So this stage of the argument is obviously subject to certain definitions of the foundational principles. If we merely require that citizens are *likely to endorse the reasons behind a given coercive act* in our Public Justification principle, then this may do away with a multitude of concerns. But such an interpretation would appear to be at odds with the conception of public reason offered by Vallier, where "each and every" citizen approves the law to which they are subject, and moves us toward a conception of democracy where individuals may often be subject to laws to which they have offered no direct reasoned agreement.

There are several plausibly coherent positions to take with regard to these considerations. It may make sense to endorse a view of *liberal democracy* - where citizens are asked (but not required) to endorse the rules to which they are subject, and where simple endorsement of the constitutional principles at the heart of the polity is taken as a tacit endorsement for most of the coercive acts that are produced by a narrow legislative process. Such a view would appear to leave room for a Rawlsian notion of public reason, provided it is contained to the narrow set of reasoners and the foundational contractualism that his requirements would seem to be intended to address. Alternatively, and within this framework, it may make sense (and be coherent) to be a *public reason liberal* or *deliberative democrat*, arguing that more public engagement would improve law-making, that the reasons that lie behind preferences could be improved by a consensus-seeking or cognitively diverse public discourse, or if preferences were rendered inadmissible unless backed up by reasons that all can accept.

What does not appear to be coherent by Humean standards is a democratic theory constructed upon a strongly contractualist version of public reason that requires universal consent *at every level*, whether or not that consent is necessarily backed up by publicly acceptable reasons. Indeed, one may question what the purpose of public reason would be in a world where individuals are only subject to the laws that they have personally had conclusive reason to endorse.

Conclusion: Public Reason is not Liberal

So far, this chapter has offered three overlapping criticisms of public reason liberalism as part of a wider critical perspective on the notion of 'public reason' itself. It has established a new, 'hybrid' conceptualisation of public reason, based on the possibility that not all reasons may themselves be *reasonable*, and attempted to highlight some of the implications of this conceptualisation for influential theoretical works that make expansive use of such a concept.

From some perspectives, of course, this chapter will appear to have wilfully missed the point of public reason liberalism. As Vallier explains, either accessibility or shareability requirements would render public reason liberalism something more akin to public reason *libertarianism*: "legitimate state coercion will be rare ... to avoid a particularly extreme libertarian version of public reason, [public reason liberals] must argue that the number of shared reasons among liberal societies is quite large. ... Public reason liberalism is

motivated by the idea that reasonable people will inevitably disagree about many of the most important questions in life; accordingly, public reason liberals cannot adopt a requirement on public reasons that ignores this fact” (2011a, pp. 387-8).

In other words, the strictures of this interpretation of Rawlsian public reason, faced with the reality of widely pluralised and even incommensurable views on the part of citizens, will almost always fail to legitimise political action or coercion. Vallier’s solution is to weaken the epistemic burdens associated with public reason, to argue that they need not be shareable or accessible, but simply recognisable *as reasons*. At this point, however, ‘public reason’ becomes a misnomer. Without a shareability or accessibility requirement, and without the republican-styled, consensus-seeking discourse that classic notions of public reason are intended to underpin and produce, we are effectively no longer dealing with public reason at all. Better by far to either give up on the public reasoning altogether, or to adopt it more whole-heartedly and inject more realism into the basic premises of public reason liberalism so as to accept that in a diverse society we will all, at some point, necessarily be subject to some law that has not been completely justified to our own satisfaction.

The untenability of public reason liberalism underscores an essential relationship between public reason and deliberative democracy. As a response to the central political challenge of decision-making in a diverse polity, public reason is more sophisticated than general will accounts of consensual outcomes from deliberation, but is still affected by Platonist-style concerns with the knowledge and rationality of participants and by the naturally-occurring epistemic gaps that may make the reasons of citizens incommensurable. Adherence to the requirement of giving reasons that all can accept may be more plausible than the approximation of substantive consensus in democracies, but will nevertheless tend to produce exclusivist politics. Public reason liberalism fails to make the case for a publicly justificatory democracy that can be inclusive in line with liberal norms, as it weakens the notion of ‘public reason’ beyond recognition.

This chapter has argued that the notion of public reason has become the dominant conceptual underpinning of deliberative democracy, and is, like the notion of a rationally designing public or general will, a potential threat to the inclusivity of democratic politics, and thus to the advantages of the folk theory of democracy that is associated with basic political equalities, and therefore also to the consequentialist justification of democracy offered in Chapter One. Specifically, public reason, as a hybrid of the act of reason-giving

and the epistemic state of reasonableness gives rise to stringent epistemic demands that effectively imply the exclusion of many would-be participants from deliberative processes.

Public Reason Liberalism, as an effort to embody liberal values via a procedural requirement for reason-giving, attempts to weaken elements of the hybrid notion of public reason, but as a result effectively ceases to discuss a recognisable conception of public reason. This is important because it reinforces the necessity of the connection between public reason and deliberative democracy, and helps to delimit the definitional scope of the term of 'public reason' to the point of usefulness.

In Chapter Six, this thesis will present some of the specific psychological effects and mechanisms of the self-exclusion, preference falsification and illegitimate preference-shaping effects that may go hand-in-hand with participation in deliberative democracy. First, Chapter Five will consider the utility of deliberation in escaping the worst implications of the social choice theory critique of aggregative democracy. Central to both discussions of deliberation is the concept of public reason: an effort to shift the onus of consensus-seeking from substantive decision-making to the realm of meta-agreement. By converging on a certain type of reason-giving, for example, public reason would necessarily reduce the domains of possible consideration on a given topic, which may prove to be the lynchpin of establishing that democracies can escape the accusation of arbitrary outcomes.

Chapter Five: Social Choice Theory and the Deliberative ‘Escape Route’

Summary

This chapter aims to establish the nature of the Social Choice Theory critique of democracy – as framed by Kenneth Arrow, updating insights from Condorcet and Joseph Schumpeter – which ultimately asserts that almost all vote-aggregating systems are given to outcomes that are plausibly arbitrary in nature. William H. Riker extrapolated these findings into a normative liberal democratic project which has since been partly discredited by contemporary theorists such as Gerry Mackie, and partly answered by deliberative democrats who claim that the Arrowian critique cannot apply in more deliberative circumstances. This chapter suggests some grounds for the defence of Riker’s claims and subjects the deliberative ‘escape route’ to critique in turn. Rather than being outright anti-democrats, Riker, Arrow and the others were making an epistemically sceptical case for reducing the presumed mandate created by electoral processes, believing that the capacities of governments should be reduced accordingly.

A Third Epistemology for Democratic Theory

This thesis has so far considered the claims of two main types of democratic theorists, both of which entail a particular concern with the epistemic capacities of democratic participants. The first type, described as 'Rousseauian', hinges on the belief that rational collective design of social orders is plausible, and so tends to promote participatory and deliberative systems, as set out in Chapter Two. However, this Rousseauian perspective is also founded upon a conception of public reason that is not entirely coherent, and will often involve formalised processes of preference-shaping that are not necessarily ethically desirable, as argued in Chapter Four.

The second type of democratic theorist, labelled here as 'Platonist', operates around the understanding that, while the rational design of social orders is possible, due to widespread public ignorance and/or irrationality, it must remain the purview of an epistemically homogenous (and, preferably, very expert) subset of a society: an argument that came under analysis in Chapter Three. For these theorists, democracy is valuable, if it is valuable at all, as a legitimating and mandate-generating system for this narrower group of decision-makers.

Several of the ideas reviewed in Chapter Three also moved beyond Platonist arguments, arguing the desirability of democratic underlying structures for social orders (such as markets). This third type of theorist, termed 'Hayekian', comes under at least partial consideration in this chapter, as the thesis further scrutinises the line of distinction between minimal democrats and those who reject democracy altogether. The Hayekian approach embodies an alternative understanding of the basic questions of democratic theory, and operates from a different epistemic standpoint: one that is wholly sceptical as to the quality of public determinations on political questions, and sceptical as to the extent that *any* political processes are able to render such determinations into rational, non-arbitrary decision-making.

This chapter will consider the critical analysis of democracy put forward by Social Choice theorists through discussion of the democratic theories of William H. Riker, who extrapolated a more openly normative theory from the Kenneth Arrow's 'Impossibility' Theorem, itself a carefully-designed expression of concerns established long ago by Condorcet, and more recently updated by Joseph Schumpeter, who crystallised a rejection of the idea of 'the will of the people'. Riker's primary and most effective critic is Gerry Mackie, whose *Democracy Defended* (2003) is widely thought to have irretrievably undermined the arguments underpinning Riker's understanding of liberalism. This

chapter will consider the extent to which such contemporary scholarship has rendered Riker's arguments untenable.

Next, this chapter will consider whether deliberative democracy can possibly offer an 'escape-route' from the implications of social choice theory, as several theorists have argued it may. By encouraging meta-agreement upon certain structuring dimensions for the determination of preference-orderings, deliberative procedures could make subsequent votes far less likely to generate arbitrary outcomes upon aggregation. However, it remains to be seen if such an answer to the claims of Arrow and Riker is costly in other ways, reducing the potential for cognitive diversity and making a virtue of systematic preference 'normalisation'.

The Plausibility of Arbitrary Outcomes

In two key texts (*Liberalism Against Populism*, 1982; *The Art of Political Manipulation*, 1986), William H. Riker developed specific conceptions of democracy, 'liberalism' and 'populism', alongside a set of explicit or implied normative prescriptions. The source and intellectual background for these theories is quite broad, based upon Social Choice theory (principally as used by Kenneth Arrow in his Impossibility Theorem, which purported to show a fundamental instability in the aggregation of preferences from democratic vote systems), historical examples of such instability, and a long tradition of critical, liberal thought as regards democracy as a system of civic organisation.⁵⁵

Quite recently, Riker's understanding of democratic theory has come under heavy criticism – most notably by Gerry Mackie (2003). Mackie set out to systematically disprove Riker's case-studies of successfully manipulative behaviour or failure in democratic aggregation, to undermine the theoretical basis for Riker's claims, and to associate Riker's work with a lineage of thinkers commonly understood as elitist or anti-democratic – most specifically, Vilfredo Pareto. Riker, according to Mackie, "attacks democracy in principle" (p. 27); he goes so far as to assert that Riker was a kind of a "nihilist with respect to the public good" (p. 424), that Riker believed democracy to be "impossible, arbitrary, irrational and meaningless" (p. 157), and that 'populism', the specifically-defined political trend that Riker opposed himself to in *Liberalism against Populism*, is what everybody else

⁵⁵ See, for example, S.M. Amadae's *Rationalising Capitalist Democracy* (2003), which situates the work of social choice theorists within a deep liberal tradition that encompasses Mill, Hayek, and Karl Popper, describing the development and eventual dominance of Rational Choice Theory and the kinds of politics that it may directly tend to promote.

calls Democracy (p. 418). The extent of Mackie's success will come under specific discussion later in this chapter; often, however, he is considered to have delivered a powerful blow – perhaps a deadly one – to the body of Riker's normative theory.

The bedrock of Riker's work in democratic theory is Kenneth Arrow's 'Impossibility Theorem'. Arrow argued that no choice aggregation system determining a winner from between at least three alternatives, and which satisfies some minimal democratic conditions, can guarantee 'stable', unmanipulated and non-arbitrary outcomes. To ensure non-arbitrariness, voting and aggregation systems must compromise on one or another of Arrow's democratic conditions – in other words, they must cease to be at least formally democratic (by the definitional terms of democracy established by Arrow's premises).⁵⁶

At its simplest level, Arrow's Impossibility Theorem recalls the 'Condorcet Cycle', which is itself a way of conceptualising the very intuitive political concept of 'vote splitting' between at least three options or candidates. If, for example, a group of three voters (a tiny constituency indeed) holds preference orderings over the options *a*, *b* and *c* as in the following example, then a Condorcet Cycle has emerged:

Voter 1: $a > b > c$

Voter 2: $b > c > a$

Voter 3: $c > a > b$

It is clear that there can be no majority winner among these options: the vote is deadlocked, because by pairwise comparisons, each option is at some stage preferable to every other. Different methods of counting these 'votes' will therefore produce varying outcomes, and in any situation a majority of participants will be disappointed by the outcome. This arbitrariness is potentially repeatable at every level of complexity, and much of Riker's work constitutes an extended series of historical examples of such cycles, and plausibly arbitrary outcomes, in real politics. Mackie attempts to forensically debunk each of these examples in turn, and of course it is difficult to historically establish the likely second- or third-preferences of voters when these deeper preference arrangements were not necessarily recorded. However, a passing familiarity with electoral history can furnish us with several examples of electoral outcomes that, due to vote-splitting (and effective Condorcet Cycles), arguably furnished a democracy with an outcome on a wholly arbitrary basis.

⁵⁶ The legitimacy of these terms, and whether or not they combine to form a reasonable definition of democracy, is the subject of much discussion, not least in Mackie's book.

One such historical example may be found in the US Presidential Election of 1912, which the following section considers briefly below.

The US Presidential Election of 1912: An Arbitrary Democratic Outcome?

In the run-up to 1912, former Republican President Theodore Roosevelt forced a split within his old party, which was by then led by William Howard Taft. Roosevelt believed that Taft had betrayed his legacy of progressive politics, and so formed the Progressive Party (also called the 'Bull Moose' party, so named after Roosevelt was shot by a would-be assassin while on his way to a rally. He declared that it would take more than a single bullet to kill a bull moose, and proceeded to deliver a full stump speech before finally going to a hospital). Woodrow Wilson, meanwhile, was eventually selected as the Democratic nominee, and faced an additional challenge in the form of an American Socialist Party, led by Eugene V. Debs, that stood to finally make a degree of an electoral impact.

On election day 1912, Roosevelt mainly cannibalised the Republican vote, forcing the Republicans into third place and propelling Wilson's democrats to victory: the first Democratic administration since the end of the Civil War. *Figure 1* shows this electoral outcome in terms of total votes and modified vote-share.⁵⁷

	Woodrow Wilson <i>Democrat</i>	Theodore Roosevelt <i>Progressive</i>	William H. Taft <i>Republican</i>
Votes	6,293,019 <i>Or ~45% of votes for the three main parties</i>	4,119,507 <i>Or ~30% of votes for the three main parties</i>	3,486,956 <i>Or ~ 25% of votes for the three main parties</i>

Figure 1: Results of the 1912 Presidential Election for three most popular candidates, with simplified vote shares. Source: 'A Narrative History of America' (Tindall & Shi, 2004, p. 801)

As suggested above, the reconstruction of historic preferences and voting intentions is an impossible task. Yet it would not be unreasonable to assume that the majority of voters

⁵⁷ George Tindall and David Shi, *A Narrative History of America* (London: W. W. Norton & co., 2004) p.801

who chose to support Roosevelt were more likely to prefer, in the second instance, Taft to Wilson. Correspondingly, this discussion also presumes that Taft supporters would generally have preferred voting for Roosevelt than voting for Wilson. The Progressive and Republican parties originated from the same source, shared much the same platform and appealed to very much the same sets of constituencies in the USA. We may also impute that Wilson voters otherwise followed the national trend (of generally preferring Roosevelt to Taft) and so broke slightly, in their secondary preferences, for the Bull Moose party. Given these (reasonable) assumptions, perhaps the fuller preferences of the voting population in 1912 was close to the following:

30%: Wilson > Roosevelt > Taft

15%: Wilson > Taft > Roosevelt

25%: Roosevelt > Taft > Wilson

5%: Roosevelt > Wilson > Taft

20%: Taft > Roosevelt > Wilson

5%: Taft > Wilson > Roosevelt

Voters preferring Wilson to Roosevelt: 50%

Voters preferring Roosevelt to Taft: 60%

Voters preferring Taft to Wilson: 50%

Condorcet Cycle: Wilson > Roosevelt > Taft > Wilson ...

By pairwise comparison, half of all voters preferred the Democrats to the Progressives, more than half preferred the Progressives to the Republicans, and half preferred the Republican option to the prospect of a Democratic president. The plausibility of this account may very well be debatable, but the key point is that differing assessments of the mindset of voters in the 1912 election can generate different overall winners, and that alternative aggregative methods could produce different winners from the same

preference-sets. Indeed, when the unprecedentedly strong support for Debs is taken into account (which ultimately amounted to around 900,000 votes), the plausibility of an arbitrary outcome increases. It would be quite reasonable to suggest that the second preference for these socialist voters would be the second-most radically progressive candidate: Teddy Roosevelt, who more than any of his other rivals actually offered “a manifesto of the modern, positive welfare state” (Ekirch Jr., 1974, p. 157).

Questioning the Impossibility Theorem

Academics disagree on whether ‘unstable’ electoral situations such as the one described in the previous section are unusual, or whether they are surprisingly common, as Riker argued. Certainly, instances of ‘split votes’ in situations with more than two alternatives are a commonplace of polling in many different contexts. At the level of national legislative or executive elections, such scenarios may also occur with some frequency. The UK general election of 1983, which saw a great many votes going to a new third political force (the Liberal/Social Democratic Party Alliance) may be one such example of a Condorcet cycle, at least in terms of the popular vote (Studlar & McAllister, 1987). The 2007 French Presidential Elections may be viewed as another recent instance of an indeterminate or arbitrary democratic outcome, with the fairly clear indication that the Condorcet winner of that poll was not even present in the final run-off vote (Abramson, 2007).

Arrow's impossibility theorem thus retains a certain degree of impact. His problematisation of democracy affects the relative plausibility of democratic meaningfulness. We can never be *certain* that democracies are wholly responsive to the complete preferences of voters. Even if instability, arbitrariness and Condorcet Cycles are rare, the persistent issue is of our inability to distinguish between problematic outcomes and solid ones. Whence, then, democratic legitimacy, or strong state mandates? Add the problem of potential *manipulation* (as Riker (1986) does) and vote-aggregation seems to be an inadequate model for strong democratic states. This, Riker would argue, is the whole point – and is why Riker continued to advocate aggregative 'liberal' democracies over other types. The instability and uncertainty intrinsic to such democratic systems ensures that they may never legitimise an over-strong state capable of threatening individual liberties (Riker, 1982).

Unsurprisingly, Arrow's (and Riker's) claims about the nature of democratic meaningfulness have come in for sharp criticism. Primarily, the 'Impossibility Theorem' is

attacked on the basis of the difficulty of reducing its definition of democracy to a set of simple logical conditions with which any system of vote-aggregation should correspond if it is to be considered to be democratic: Non-dictatorship, Pareto Efficiency, Universal Domain and the Independence of Irrelevant Alternatives (Arrow, 1951 [1963]).⁵⁸ No democratic aggregation system, according to the Impossibility Theorem, can guarantee adherence to all of these principles simultaneously.

At first glance these principles appear to be quite uncontroversial components of what most people would considered to be democratic norms. *Non-dictatorship* is a particularly intuitive benchmark for a democratic aggregation system, simply specifying that no single individual may determine outcomes independently. This principle has the greatest theoretical importance in conditions of near-deadlock. If, for example, the vote on a certain question is evenly split, with x voters saying 'aye' and x voters saying 'nay', then the tie-breaker – voter $x+1$ – would in the terms of Arrow's criteria be elevated to the position of dictatorship.

The requirement for weak *Pareto Efficiency* is also undemanding in that it requires that, to simplify greatly, if everyone prefers a to b then the aggregating principle cannot favour b over a . This criterion ensures a very minimal degree of responsiveness to the preferences that are being aggregated.

Universal Domain is more regularly criticised as not necessarily belonging in a list of democratic principles, yet still carries a certain intuitive strength. It requires that an aggregating principle must always allow, and be able to process, all possible arrangements of the preferences at hand. As shall become apparent later in this chapter, this is the condition which some deliberative democrats believe can be weakened in a nevertheless democratically legitimate way, thereby circumventing the impossibility theorem.

Finally, the *Independence of Irrelevant Alternatives* states that a preference of one thing over another – a over b – should not be affected by the introduction of an additional alternative, c . It is possible that c may still, of course, become the first preference, but the overall relationship between a and b should stay the same. For example, if Calvin decides, all things considered, that he'd rather have an apple than a banana, and Suzie arrives and offers him her orange, no matter what placement the orange receives in his preference

⁵⁸ N.B. This thesis refers to Arrow's updated set of 'fairness criteria', with monotonicity and non-imposition replaced by Pareto-efficiency, or unanimity.

arrangement, the *Independence* principle dictates that he should not suddenly decide that he prefers bananas to apples after all.

This fourth benchmark is arguably the least intuitive of Arrow's requirements, and warrants a brief digression here (Mackie, *Democracy Defended*, 2003, p. 123). It is conceivable in political decision-making, for example, that a new alternative may alter the nature of an individual's second preference. Let us say that Susie prefers large-scale spending on national defence (*a*) to zero spending on national defence (*b*). A third alternative is introduced – moderate spending on defence (*c*) – and Susie adopts this as her first preference on the basis that it represents a reasonable compromise. There is no reason why this person should not then, in the face of a strong new alternative, decide that her second preference would now be to not spend any money at all. So her preference structure has changed from $a > b$ and has now become $c > b > a$, and quite rationally: with the introduction of a heretofore impossible moderate middle option, she has decided that it would be better to not spend anything than to over-spend. The introduction of the third, independent alternative has changed the terms of our perception of the original options, and so shaped our notional citizen's understanding of the landscape of possible political outcomes. In the first instance, the *idea* of over-spending effectively did not exist.

All this said, Arrow's independence condition remains intact as a *possible* source of arbitrariness in democratic aggregation. The plausibility of arbitrariness being injected into conventional aggregative systems by breach of this conditionality remains intact, and plausibility is all that is required by the larger normative drive of the Arrow/Riker democratic instability thesis. Similarly, it should be accepted that breaches of the independence condition would be extraordinarily rare in real-world preference formation. These caveats, along with the complexity of their implications, are perhaps part of the reason that the majority of democratic theorists seek an escape-route from the impossibility theorem not via the problems associated with the Independence condition, but instead through the various issues raised by his insistence upon Universal Domain.

Like Arrow, William H. Riker's contributions to democratic theory start from the assumption that deep-set preference orderings *do exist*. There could be no complaint about democracy's failure to correctly represent aggregated individual preferences if the preferences themselves held no internal meaning.

Arrow's Impossibility Theorem is just one way of expressing the idea that one cannot rule out arbitrary outcomes from systems that do not collect complete information. Riker does not argue that this information does not exist; he argues that it is unreconstructible.

Deeper preferences exist to the extent that they plausibly scotch any claims to outright stability on the part of democracies, yet they are unattainable and unknowable to the extent that there is no hope of repair. They do not 'exist' publicly, and thus there can be no 'general will' in the sense that Rousseau understood it. The coincidence of unexpressed rational choice-making itself undermines the case for democratic systems that are aimed at capturing the 'general will'. The next section will discuss whether this particular understanding of democracy is coherent by considering some of the key elements of Gerry Mackie's objections to it.

Assessing Mackie's Critique of Riker

Before turning to whether deliberative democracy might provide an effective answer to Arrow's Impossibility Theorem and the body of normative theory that Riker extrapolated from it, it is first necessary to determine whether this family of democratic criticism is still worthy of being taken seriously. For some theorists, Riker's insights in particular were categorically dismissed by Mackie's response, leaving Arrow's analysis as an interesting insight that is ultimately irrelevant to the workings of actual democracies. This section will identify some important elements of Mackie's critique of Riker, and defend Riker's approach on primarily epistemological grounds.

This section simplifies Mackie's approach to the dismissal of Riker's claims into a series of three important lines of argumentation. First, he attempts to undermine the plausibility of the arbitrary democratic outcomes (where different legitimate aggregation methods would produce different final outcomes from the same set of preference inputs) upon which Riker's theories are founded by arguing that they are incredibly rare, and that Riker's attempt to provide historical examples are afflicted by a serious internal contradiction over whether deeper individual preferences can be determined. Second, Mackie suggests that Condorcet cycles should only become a realistic possibility in circumstances where the alternatives on offer are extremely similar to each other – and so even a genuinely arbitrary outcome is of only trivial importance. Third, Mackie argues that even given a concrete example of democratic arbitrariness, there is usually an intuitively preferable aggregation method, preserving the meaningfulness of voting.

1. Is Riker's Epistemology Inconsistent?

Riker popularised Arrow's work by presenting it within an ideological context: a conflict between *liberal* and *populist* concepts of democracy, recalling differing philosophical

understandings of the collective will and the collective good. His suggestion that, given the impossibility of discerning a reasoned 'general will' from any mass of voters, the popular vote could be seen as "an intermittent, sometimes random, even perverse, popular veto", draws our attention to the idea that, in prospective electoral terms, it is impossible to tell a rascal from a saint (Riker, 1982, p. 244). Instead, the emphasis switches, in a variation of trustee-model representative politics, to the regulation of officials by retrospective assessment. Again, because of the nature of aggregation, Riker cannot guarantee that a rascal will always be punished, or that a saint will always meet with rewards. Yet the *plausibility* of being rejected by voters may be enough to motivate decent legislative behaviour and a host of constituent-favouring re-election seeking activities on the part of the representatives (as pointed out in David Mayhew's *Electoral Connection* (1974, p. 80)).

Moreover, he develops theories of both spontaneous democratic arbitrariness of the sort discussed above *and* the conscious manipulation of these and related effects, an 'art' of political manipulation based upon agenda control and the engineering of voting blocs toward a certain end, which he labels *heresthetic* to stand alongside the 'liberal art' of rhetoric. The arguments in support of these theories are predominately supported by historical examples. Riker develops detailed interpretations of episodes from electoral and legislative history to demonstrate the plausibility of Condorcet cycles, cases of Arrovian arbitrariness, and instances of ingenious heresthetic on the part of statesmen or legislators.

Riker's 'minimal, liberal', "Madisonian" or "private-instrumental" understanding of democracy revolves around a certain epistemological approach, which shifts from an emphasis on knowledge problems and Arrovian scepticism (over the possibility of effectively communicating deep preference arrangements through democratic politics) to a broader faith in a scholar's capacity for the recovery of historical intentionality (allowing Riker to offer accounts of coalition-building and heresthetic that are dependent upon a interpretation of the deeper preferences of the agents involved) (Riker, 1982, p. 9; Elster, 2003, p. 139). Gerry Mackie shows particularly clearly where Riker's epistemological understandings move from one mode to another, and tends to understand these shifts as indications of inconsistency or internal contradiction.

In pointing out what he takes to be a contradiction internal to Riker's arguments, Mackie actually conflates two distinct means for the reconstruction of individual preferences. His discussion of Riker's emphasis on the unknowability of preferences is similarly affected. Far from founding his prescriptions on evidence derived from social choice theory alone,

Riker also modelled his ideas on his understanding of historic politics, and proceeded to attempt to derive from these certain models of democratic outcomes - Social Choice theory, in other words, is a tool of analysis for Riker's world-view rather than its sole point of origin. It is used by Riker to raise much older assertions about the nature of democracy: not a critique of democracy developed directly from Arrow, but an attempt to adduce an already extant critique using Social Choice.

Mackie states a belief early in his book that there lies at the heart of Riker's work the idea that it is always impossible to know other human minds, or at least that individual voting choices are insufficient for the reconstruction of underlying preferences (Mackie, *Democracy Defended*, 2003, p. 40). To summarise the position: "true tastes ... must be indirectly inferred ... [so] underlying preferences cannot be inferred from votes" (Mackie, 1998, p. 75).

"It is," Mackie writes, "the peculiar misfortune of the sceptic that he is always forced to act as if his conclusions are false". He then claims that Riker uses "methods of inference" (read: guesswork) in order to construct his historical examples of democratic instability, manipulation and Condorcet-cycling. If historical actors may have their underlying preferences and motives pieced together in such a way, why not satisfy oneself with the performance of democracy as a transmitter of preferences by applying the same principles to contemporary voters? Such sensible leaps of logic are, after all, "a normal and uncontroversial everyday occurrence" (Mackie, 2003, p. 42).

The basic epistemologically sceptical position is that one can never truly know another's preferences on a concrete, falsifiable level. For democrats, this carries the implication that no individual's deeper preference-orderings (the existence of which are central to the way that Arrow's impossibility theorem works) are strictly recoverable, and nobody's votes can be wholly explained. Mackie does not directly object to this scepticism, but rather suggests that, in the aggregate, things become simpler: that, though individual preferences cannot be reliably indicated by voting processes, "it does not follow that it is so for *all* of our votes considered together" (Mackie, 1998, p. 77). A series of votes or a deliberative democratic method may begin to approximate underlying preferences (if not actively reformulate them).

Moreover, Mackie asserts, Riker's position is internally contradictory, in that the demonstration of the principles of heresthetic requires on the part of political actors a kind of complete information regarding the intentions of various potential participators in

a manufactured coalition or majority. How is this possible if underlying preferences are essentially indeterminate and, perhaps more importantly, generally incoherent?

Mackie clearly sees this as an insurmountable difficulty for Riker: "Manipulation is not possible without knowledge of others' preferences. Thus, we arrive at the contradiction: *manipulation is possible only if preferences are known; but if manipulation is possible, then preferences are unknown*" (Mackie, 2003, p. 160). By interpreting this paradox in Riker's work, Mackie comes to the crux of his argument.

Yet Riker's main assertion is that voting is not a reliable means of projecting 'sincere' preferences. He offers no explicit opinion as to whether such intentions are recoverable by other means, but his work as a historian of what he calls 'heresthetic' indicates that he subscribes to the (epistemically orthodox) idea that historical method, with sufficiently thorough inter-textual analysis and a strong contextual understanding) is capable of reconstructing the motives or objectives of political actors *to within a certain threshold of plausibility*. It is this methodology which is employed in raising examples of manipulative behaviour from history, and there is not necessarily any contradiction between this part of his work and his overarching belief that voting is incapable of expressing a general will, or, indeed, complex internal preference-rankings at the individual level.

Unlike historians or academics, members of legislatures and election officials do not have time, resources or training to attempt the analytical, textual reconstruction of every given political actor's entire preference profile on a sophisticated level. Riker moves between historically reconstructing preferences on the one hand, and discussion of the limits of the contemporaneous process of assuming preferences from the contents of votes. It is in these terms that his case for the prevalence of manipulative behaviour in politics resists being undermined by a broadly historicist world-view.

One might at this point object that the intuitive approach – that of inductively assuming that individuals vote broadly in line with their deeper preferences – is also basically plausible, and because of this, on balance, the majority will is preserved within popular democracies. Indeed, Riker might not have disputed such a point. However, it would have had little impact on his ultimate conclusion: that "populist" conceptions of democracy cannot operate under the weight of the plausibility of arbitrary aggregative outcomes. According to Riker, only a limited, liberal model of democracy is practicable given such findings.

The supposed paradox in Riker's concept of *heresthetic* states that manipulation itself requires a kind of complete information on the part of the manipulator. Is this intuitively

accurate? A successful manipulation – a successful case of agenda control, for example, in order to achieve a certain political end – is not dependent upon awareness of anyone else's *actual* preference orderings. Rather, the probabilities of certain behaviours are estimated, based upon past knowledge and more, to form the basis of manipulation. Riker cannot dismiss the existence of human theory-of-mind; neither, one imagines, would he have wished to. But the verifiable transmission of actual preferences via *voting* is still impossible, therefore rendering 'manipulated' outcomes indistinguishable from 'true' results. To point out that strategic and honest votes are indistinguishable is merely to reiterate Riker's point (p. 162).

2. Are Trivial Decisions More Likely to be Arbitrary?

Mackie seems concerned to bring to bear every possible rebuttal in his criticisms of Riker's interpretation of democracy. Intriguingly, many of his arguments would be rendered obsolete by the success of the arguments that precede or follow them. For example, Mackie suggests that Condorcet cycles are more probable where the alternatives being voted on are similar to each other. The next step in Mackie's argument sets out that, if the available alternatives are more similar, thus increasing the likelihood of democratic instability, this should not be a cause for great concern. Cases of democratic instability are likely where the decision itself is trivial, rendering the phenomenon of cycling more trivial as well (Mackie, 2003, pp. 113-4).

This line of reasoning is not wholly persuasive. First, it is not clear that the clustering of alternatives will increase the likelihood of Condorcet cycles. Mackie's claim here is built around the idea that fine-grained distinctions between alternatives will lead to outcomes which essentially confirm unanimity around a general principle, and so a more-even distribution between alternatives that present different implementations of that principle (*Ibid.*). To return to the defence expenditure example offered above, if the existing alternatives are between expenditures of 9% of GDP, 4 % of GDP, and 0% of GDP, then we can probably expect most voters to coalesce more readily around one of these alternatives (perhaps that second, moderate option). If, on the other hand, the choice is between *tweaks* to an already-established principle or norm – say, between 4.5% of GDP, 4% of GDP, and 3.5% of GDP, Mackie argues that preferences between these alternatives will be far more evenly-distributed. The incidence of Condorcet cycles may accordingly increase, but this won't matter, because everyone has effectively already agreed on defence expenditure of around 10% of GDP.

Two problems are immediately apparent in this account. The first is that granular differences are not commonly presented as such. A minuscule gap between three options can still be framed as a vast philosophical difference. This is quite normal in contemporary British politics, for example, where the three main political parties make much of their differences of approach in key policy areas, but in fact are effectively occupying near-identical political platforms (Quinn, 2008). Presentational differences – contributors to the literature on framing effects would describe these as ‘issue’ rather than ‘valence’ differences (Druckman, 2004) – can have an appreciable impact on democratic outcomes. The wider point is that ‘granularity’ can scale infinitely. According to what set of constructed norms are some alternatives widely-spaced, and some closely-packed?

Secondly, Mackie is forgetting that there are many examples of outright moral disagreement in contemporary societies, some of which literally bisect the voting publics in question. For example, 48% of US and 49% of UK citizens ascribe climate change primarily to human activities (Pelham, 2009). Of course, a classic Condorcet cycle is between three or more alternatives. Issues resulting in even three-way polarisation are more rare, yet the existence of even a weakly-supported third alternative can create cyclical results between the two remaining polarising alternatives.

3. Do Certain Aggregation Methods Suggest Themselves?

Elsewhere, Mackie suggests that different circumstances – that is, different apparent votes and constituencies – could justify the implementation of more or less complex systems of aggregation (Mackie, 2003, p. 121). For example, implementation of a Borda count in circumstances where uneven Condorcet cycles pertain with simple pairwise comparisons will often produce a clear winner, rather than a tie (p. 120). If all recognisably democratic aggregation methods fail, then why not implement some simple measure in cases of a voting cycle, as we might in the face of a tie between two alternatives in a small, even-numbered group? A strategic preference-change by even one voter, or the use of a coin-flip or die-roll, could mean the difference between a determinate and an indeterminate outcome (p. 117).

This line of argument may be rebutted without reference to Arrow’s Independence Condition, which it arguably violates (p. 122). Determining a winner through use of some expedient (if the expedient is fairly decided and consented-to), or by making use of an alternative aggregation method, is easy, as Mackie demonstrates. The problem is that the accusation of *arbitrariness*, under such circumstances, persists. The possibility of generating several reasonably ‘fair’ yet divergent outcomes from a single set of votes casts

genuine doubt on the plausible legitimacy of democratic decision-making. Simply to state that different types and compositions of Condorcet cycles could be resolved with different voting and aggregation rules is not enough; indeed, this claim merely serves to underscore Riker's argument. Implementing a Borda count in cases of non-balanced cycles, proves that no *single* rule can always guarantee democratic stability. The possibility of two equally 'true' outcomes from a single set of votes (only analysed in different ways) is itself a kind of instability: the meaningfulness of the outcome would always remain in question.

A Deliberative Response?

As the above section aimed to show, at least some part of the Arrow/Riker critique of democracy survives Mackie's critique. Condorcet cycles and plausibly arbitrary outcomes may not be as common as Riker argues, but they may not be very rare, either. It is not surprising, therefore, that several theorists of deliberative democracy should treat this critique with considerable seriousness – particularly since the defanging of the impossibility theorem and its political extrapolations could provide further grounds for the development and implementation of deliberative theory.

Some of the potential benefits of deliberative democracy have already been discussed in this thesis (see, for example, Chapters Two and Four). First, deliberation may objectively improve the 'quality' of decision-making, with gains in the quality of political, electoral or legislative outcomes. Such an improvement could arise from a number of sources, but most likely are the ideas of 'cognitive diversity' (as discussed in Chapter One) and consensus-building. The idea that a deliberative process can rationalise the preference arrangements of individuals and so render each more closely commensurable with others when in combination is essentially an expression of the following beliefs: a) that deliberation tends to produce a narrowing of the range of responses to specific questions, and b) that the outcome of such a confluence of preferences is desirable. In this sense, deliberation is potentially beneficial if the premise that it facilitates consensus-building proves to be true. As the next chapter shall discuss, there are good reasons to doubt the efficacy of deliberation as regards consensus-building and cognitive diversity.

Even failing an objective increase in the epistemic strength of democratic decision-making, deliberation may nevertheless be capable of promoting acceptance of the democratic process in itself, allowing groups with minority views to feel less alienated. In other words, deliberation may increase a sense of ownership of decisions that were ultimately opposed

to an individual's preferences, because they feel that they had sufficient opportunity to express and argue for their personal goals. This may be described in its simplest terms as a mandate-maximisation effect, where the actions of a state subsequent to a deliberative process may be considered to be more legitimate, both because it seems more fair (offering grounds for consent even where one's own preferences did not become the basis for enacted policy or an electoral outcome) and more conducive to consensus (and so furnish large margins for majority decision-making). We may therefore endorse deliberative democracy if we accept both that a) deliberation has a mandate-maximisation effect and b) larger government mandates for policy-making and political action are, on the whole, desirable (something that, for example, many liberals would have cause to doubt).

Finally, and more pertinently for this chapter, the upshot of the preference-rationalising capacity of deliberation (if true) is that it offers a response to, and possible escape-route from, the social choice thesis of democratic instability. This thesis, as discussed above, was implied by Joseph Schumpeter (1943 [1965], p. 269), reconstructed as a proof by Kenneth Arrow in 1951 and popularised in more normative terms by William Riker and the political scientists he inspired in the following years, suggests that no aggregative democratic system is immune to accusations of arbitrariness when compared to the original preference arrangements of individuals. Yet if deliberative democracy can improve the relative 'rationality' of individuals' preferences through dimensional meta-agreement (agreement on the nature of the issue at hand), then it may be seen as a tool for democratic stabilisation, making arbitrary, manipulated or random democratic outcomes far less likely. A deliberative requirement for reason-giving or public justification may offer, according to Gerald Gaus, an escape-route from Riker's critique, for "although the public justification function may allow citizens to hold any set of beliefs, by (for example) excluding some from the ideal deliberative condition, it can ensure that a 'laundered' set of beliefs results, which will necessarily produce a reasonable or coherent public reason" (Gaus, 2009, p. 157).

The following section addresses the context and implications of the third possible benefit: deliberation as an escape-route from theories of democratic instability. A full explication of this position requires an in-depth analysis of the challenge presented by Arrow, Riker and others, the strength of the existing criticisms levelled against them, and the ways in which deliberation may offer a new means of escaping the accusations of arbitrariness which may be levelled at purely aggregative democratic mechanisms.

Deliberation and 'Single-Peakedness'

Academics with a certain (Riker would say 'populist') understanding of democratic principles have sought to either disprove Riker's theses (in the manner of Gerry Mackie) or to seek escape-routes from their Impossibility Theorem bedrock. The above discussion has shown that the overarching instability thesis is dependent only on showing the plausibility of arbitrariness, perhaps placing a greater emphasis on the 'escape-routes'.

It is through the questioning of Arrow's Universal Domain condition that deliberation is seized upon as a **democracy-stabilising** tool. Dryzek expresses this as recourse to *reasoning* decisions as opposed to simply *polling* them, in that Arrow's challenge renders "a turn to deliberation that seeks reasoned agreement rather [than] the mere aggregation of preferences ... necessary" (Dryzek, 2000, p. 36).

How might deliberation mitigate the problems highlighted by Schumpeter, Arrow and Riker? First, and most obviously, deliberative procedures could make voting – and thus the difficult business of aggregating votes – altogether redundant. As this thesis suggested in Chapters Two and Four, this outcome seems to be unlikely, and the majority of deliberative democrats view voting as an unfortunate but probably inescapable fact of democratic participation in large, complex contemporary societies.

The more realistic alternative suggests that deliberation may offer the sought-for escape route from Arrow's Impossibility Theorem by legitimising the weakening of the Universal Domain condition – a view that has been set out by James Fishkin, Christian List, Robert C. Luskin, and Iain McLean (2013). Might deliberation be useful for 'meta-agreement' – the consensual acceptance of the exclusion of some preference orderings from a vote aggregation, or at least agree a single or limited number of 'organising dimensions' by which to assess each option before voting? Failing this, could deliberation intrinsically increase individuals' propensity toward 'single-peakedness', thus weakening the probability the occurrence of a Condorcet Cycle? After all, such a possibility – for single-peakedness to allow for a possible escape-route from the implications of the impossibility theorem – was explicitly recognised by Arrow and Riker themselves (Riker, 2003; Arrow, 1951 [1963], p. 74).

'Single-peaked' is a term used to describe a preference arrangement where an individual's preferences decrease proportionally to the spatial distance (on a single 'organising

dimension') between her first preference and each other preference.⁵⁹ For example, if we were to arrange the three voting options on defence expenditure on a single unifying dimension, it would be that of cost. A multi-peaked preference along this dimension would be preference for first the most expensive alternative, then the least expensive, and then some moderate middle option. Along some other organising dimension, however, such an arrangement of preferences may still appear to be single-peaked (Farrar, Fishkin, Green, List, Luskin, & Paluck, 2010, pp. 337-8). Many theorists have asserted that it is possible to promote single-peakedness – indeed, that it may be a normal by-product of a deliberative process, and could help to address issues arising from public ignorance as well as both value-pluralism and, relatedly, the “tougher nut to crack” of outright value incommensurability (Fishkin, 2006; Cinalli & O'Flynn, 2014).

Christian List recently categorised this assertion into three parts, stating that “it is often easier to reach agreement on what the questions are than on how to answer them”. A deliberative process intended for this end would involve the following steps: 1. Identification, through deliberation, of a common dimension of consideration (semantic agreement). 2. Arrangement, through deliberation, of the alternative options along the decided-upon dimension (geometric agreement), and (3), wherein “group deliberation leads each individual to determine a most preferred position (his or her 'peak') on that dimension” (List, *Deliberation and Agreement*, 2008, p. 70).

Dryzek promotes the use of deliberated meta-agreement as potentially desirable in its own right, maintaining a broader emphasis on what he perceives as a qualitatively intuitive appeal: “Deliberation could promote awareness of the ... dimensions of collective choice at issue. Alternatives can then be sought on each of the dimensions, and the collectively preferred positions on each dimension aggregated into an overall choice.” Interestingly, while further extolling the virtues of the deliberative process, Dryzek immediately goes on to mention something that could amount to a potential problem for those that would put deliberation to use as a limiter of universal domain: specifically, that deliberative fora are excellent venues for the *proliferation* of alternatives, dimensions and

⁵⁹ It should be noted that single-peakedness, in so far as it is a form of shaped preference arrangement that may be approximated by deliberative processes, is limited to a single issue-dimension. Mono-dimensionality is considered here to be too narrow and restrictive for the reasonable consideration of complex political questions, as the chapter will go on to argue. However, a more persuasive version of the single-peakedness escape route could be extrapolated from the possibility of single-peakedness in many-dimensional issue spaces, as argued by Tullock (1967). However, as Tullock himself explained, the plausibility of many-dimensional single-peakedness does not change the fact that Arrow's condition of universal domain must still at least be weakened, or that outcomes that may be described as arbitrary remain possible (pp. 69-70).

options: alternative approaches are at least as likely to multiply as they are to diminish (Dryzek, 2000, p.41).

Knight and Johnson specifically cite deliberation's potential for escaping the social choice critique of democracy. Domain restriction, after all, is a clear way of delimiting the range and variability of input to democratic aggregation – the only limitation is ethical or conceptual, since such restrictions will likely seem to be anathematic to fundamental democratic principles. Deliberation, in so far as it is a procedure that can effectively fulfil the same democratic principles as domain restriction seems to violate, may be a way to effectively 'license' domain restriction and so achieve more plausibly non-arbitrary outcomes (Knight & Johnson, 2011, p. 143).

Deliberative democracy appears to be a strong basis for an 'escape route' from the implications of Arrow's Impossibility Theorem. However, it is also possible to criticise an emphasis on single-peakedness in three main ways: (1) mono-dimensionality (meta-agreed or not) may be overly simplistic for political questions; (2) single-peaked preferences will mathematically tend to increase support for centrist (or moderate) options; and (3) there exists only mixed evidence that deliberative processes are capable of increasing single-peakedness. We shall turn briefly to each of these criticisms in turn.

1. Is One Dimension Enough?

By finding reasonable grounds for agreement upon a single organising dimension from which to consider a given issue, decision or policy, deliberative democracy may be able to increase the incidence of 'single-peakedness', and thus reduce the probability of Condorcet cycles. An initial, intuitive objection to this possible benefit, however, is that political issues are highly complex, incorporating manifold moral and technical dimensions, and it may not always be appropriate to reduce consideration to a single dimension (even if deliberation is able to make such a reductive approach democratically legitimate).

Political questions are potentially highly complex. Consider, for example, one of the quintessential political questions: *Who will I vote for?* A single political party (and its selected candidate) may appear in different 'places' relative to other political parties depending on the chosen organising dimension. Within the context of British politics, the Liberal Democrat party may be considered to be to the 'left' of Labour in terms of its policies of *social* liberalism, but could equally be placed to the 'right' of the Conservative Party in terms of its economic policies (which usually emphasise free trade, deregulation and lower taxes) (Russell & Fieldhouse, 2005, pp. 180-184). In a case such as this, the

selection of an organising dimension – the process of 'meta-agreement' – would become *the* crucial step in overall preference formation.

Equating 'single-peaked' preference orderings with increased decision-making rationality is therefore questionable. Political choices tend to be multidimensional, involving the interface of many concerns and various normatively established 'goods'. The decision to arrange preferences only in terms of a delimited set of assessment criteria – *soft* meta-agreement, if you will – may not produce an *epistemic* improvement in individual decision-making, even if it can be argued to be a democratically legitimate weakening of the Universal Domain criterion. Different organising dimensions may yield differing (and equally valid) assessments of choice-rationality. Similarly, a multi-peaked preference may also be intrinsically reasonable in specific circumstances. The voter who prefers *maximum-spend* to *zero-spend* to *moderate-spend* ($a > c > b$) could still express this choice in a rational way: "It would be best to spend the largest amount possible on defence, but if not, it would be better not to spend anything than to waste a moderate amount of money on an ineffective defence programme". Yet on the intuitive organising dimension, this argument and its preference-arrangement is multi-peaked.

The pursuit of single-peakedness is therefore necessarily reductive, and runs the risk of overly simplifying complex political questions in order to delimit the range of admissible issue-frames and thus decrease the incidence of Condorcet cycles. In this sense, it is closely related to the 'public reason' species of meta-agreement that is also targeted by, or cited as a virtue of, deliberative democratic theory. Where public reason requires coalescence around some agreed criteria for acceptable reason-giving, framing single-peakedness as a desirable consequence of deliberation demands meta-agreement on most-relevant issue frames. Even if this is a spontaneous product of formalised deliberative procedures, it is not clear that increased single-peakedness will always be desirable for democracies.

2. Single-Peakedness and the Median Perspective

The second crucial criticism of an emphasis on increased single-peakedness also raises an issue with deliberative process generally. Single-peaked preferences incorporating a rank for all possible alternatives will always tend to improve support for centrist options. This is a more significant effect in scenarios with lower numbers of alternative candidates or choices. For example, within a three-option set, complete single-peaked preference arrangements will *always* rank the central option on a given issue-dimension as *at least* the second choice. This will be true whether this central option is the first choice or not.

Only in a multi-peaked arrangement can the 'middle' option in this frame be the last, or least-preferred, choice.

The significance of this effect is clearly diminished by preference arrangements from among a wider range of alternatives – but not entirely lost. A single-peaked preference profile will *always favour 'centrist' choices above one, or both, peripheral alternatives*. Indeed, if this were not true, single-peakedness would be unlikely to reduce the incidence of Condorcet cycles. The encouragement or celebration of single-peakedness of choices along whatever organising issue dimension is meta-agreed by a deliberative public is akin to the encouragement or celebration of an increased propensity for 'moderate' politics.

This effect is not necessarily problematic, of course. There may be very good reasons to prefer a general tendency toward moderate politics. However, it is worthwhile to suggest that such a tendency is not *necessarily* desirable in all circumstances, either: if the selection of a primary organising dimension is in any way arbitrary, or if the 'middle' option is a false or unproductive compromise, then increased support for 'median' positions will also be arbitrary or unproductive.

3. Is Single-Peakedness Reliably Produced by Deliberation?

Even if the issues outlined above are not significant obstacles, and single-peakedness along a particular issue dimension is perceived as a self-evident good, there may be cause to doubt the reliability of single-peakedness as a side-effect of deliberative politics. The implementation of formalised public deliberation is not always capable of delivering an increase in single-peakedness – indeed, deliberative processes have been shown to *reduce* voters' propensity toward single-peaked preference arrangements under certain conditions.

Data regarding participants' preferences collected over the course of deliberative events run by James Fishkin suggest a declining and finally reversing tendency toward single-peakedness in some experiments. Deliberative polls conducted on the issues of 'Australian Head of State' and 'Changing the British Monarchy' both resulted in noticeable movements *away* from single-peakedness among the preferences of participants (List, Luskin, Fishkin, & McLean, 2013, p. 88). Other deliberative events, meanwhile, seem to have resulted in miniscule or statistically negligible increases in single-peakedness (for example, on New Haven Airport Expansion).

These findings lead List *et al.* to limit their argument – that deliberation increases proximity to single-peakedness – to what they term *low-* and *moderate-salience* issues.

Salience, in this context, really means prominence, or perceived importance (*Ibid.*, p. 91). These findings indicate that the higher the public profile (or visibility, perceived significance, or pre-existing awareness) of deliberated issues, the more likely that the net effect of deliberation will be a *reduction*, rather than an *increase*, in single-peakedness. This may be due, as these authors argue, to the lack of a “natural” left-right structure to the available alternatives, suggesting that morally or technically complex questions – the ones that transcend simplified political pigeonholes – will be more likely subject to Condorcet cycles as the result of deliberative democracy.

These findings, and their implications, corroborate some of the arguments offered in Sunstein's *Infotopia*, and other contributions to the literature. Deliberation can lead to the polarisation of views as often as movement toward moderate consensus (Sunstein, 2006, p. 57). Such a preference amplification effect has important implications for the efficacy of deliberation in general, as well as its overarching objectives (we might imagine, for example, an agonistic democrat quite valuing this particular deliberative side-effect) (McCulloch & Drake, 2011). More pertinently, this is a feature of human psychology which may be able to account for a decline in single-peaked preferences over the course of debating particularly fraught issues, just as less desirable collective effects such as 'information cascades' or simple peer-pressure may account for the seemingly attractive end of a more consensual politics (Sunstein, 2006, pp. 88-90). Chapter Six will take up a discussion of these and other such psychological effects in more detail.

Conclusion: Deliberation vs. Social Choice

If the initial promise of deliberative democracy – the realisation of the unanimously, substantively consensual politics promised by theories of self-evident moral and technical truths and their ability to be tracked by something like a ‘general will’ – was disappointed by the environmental obstacle of diverse societies, it only served to shift the theoretical focus to various venues of meta-agreement where, it is hoped, the prospects for consensus fare better. Meta-consensus over the nature of legitimate reasons, as discussed in Chapter Four, or meta-consensus over organising issue dimensions, as discussed in the latter half of this chapter, both promise to raise the standard of popular participation and add value to democracy. Where public reason aims to embody democratic robustness in the face of private, self-interested or manipulative participation, deliberative pursuit of mono-dimensional single-peakedness aims to safeguard the perceived ‘meaningfulness’ of

aggregative democratic outcomes against the claims of arbitrariness levelled by social choice theorists.

The incoherence and stringent epistemic demands of public reason have been shown to invite a host of potential problems. This chapter has pointed out that, in addition, the pursuit of single-peakedness cannot be considered to be easy, unproblematic or desirable in all circumstances. Efforts to promote deliberation as a means of legitimising the weakening of the Universal Domain condition are questionable, as shown in the second part of this chapter. Broader efforts to show the capacity of debate to increase the probability of 'rational' preference-arrangements (gauged by most theorists in terms of close adherence to dimensional single-peakedness) are similarly flawed, both in the assumption that political questions are so reducible to such a conception of rationality and, possibly, in the actual capacity for deliberation to produce single-peaked preferences.

Arrovian and Rikerian critiques of democracy appear to survive both the challenge of democracy's self-appointed defenders (primarily represented in this chapter by Mackie) and deliberative problem-solvers. The deliberative escape-route is closed: as shown in Chapter Two, there is no plausible model of deliberative democracy that does not eventually depend upon voting, and voting invokes the possibility of arbitrary or otherwise unstable outcomes such as Condorcet cycles. Even if deliberation takes place prior to a vote, there is no guarantee that, depending on the salience or profile of the decisions at hand, it will not exacerbate the multi-peaked preference arrangements that make Condorcet cycles more likely. If deliberation does reduce the probability of Condorcet cycles, then it can only do so by reducing complex political questions to simplistic organising dimensions that may not wholly capture their detail or various different interpretations: hardly in keeping with the original, idealised concept of an epistemically enhancing and educative deliberative democracy.

Social choice theory, by showing that the inescapable norm of voting may lead to arbitrary outcomes and weaken the responsiveness of institutions to democratic preferences, serves to undermine many arguments in favour of democracy, making the need for an alternative source of consequentialist justification, such as the one presented in Chapter One, more urgent. Just as importantly, however, they undermine many of the arguments put forward by Platonist critics of the universal franchise, such as those explored in Chapter Three. If democracy is dependent upon voting, and voting is not only inefficacious but sometimes productive of wholly arbitrary outcomes, then it becomes very difficult to worry a great deal about the ethical implications of public ignorance.

Chapter Six: Psychology, Anonymity and Deliberation

Summary

This chapter considers the potential consequences of a loss of anonymity at the most fundamental level of political participation. As a preliminary step, the relationship between the secrecy of voting and the institution of the universal franchise will be set out. Formalised public deliberation would necessarily reduce or, in its most radical forms, abolish the principle of political anonymity, essentially invoking the risks of corruption, intimidation and manipulation that were commonplace prior to the introduction of the secret ballot. However, not all such risks would be wholly overt. Studies of the human tendency toward conformity reveal that anonymous circumstances may allow individuals to operate more honestly in the face of disagreement from their peers. A review of some of the key literature dealing with the social psychology of group behaviour may help to explain this feature of anonymity, provide clues as to the possible undesirable side-effects of institutionalised deliberation, and explicate the desirability of anonymity to any democratic process.

The Folk Psychology of Political Scholarship

Many of the assertions of democratic theorists, and of deliberative democrats in particular, are potentially testable with reference to existing or specially-created social-psychological experimentation. It is interesting to note, therefore, that most political theorists (with some notable exceptions, some of whom are discussed below) seem to have little interest in the findings of psychologists who conduct studies, for example, in group dynamics, conformity, the effects of ostracism, or the relative efficacy of various techniques of persuasion. In place of the folk psychology that is employed, purposefully or otherwise, by many deliberative democrats, this chapter recommends the adoption of a minimal degree of social-psychological literacy.

When Rousseauians claim (or imply) that all people are capable of being other-regarding and giving coherent reasons in public forums, this is a psychological assertion. When Platonists suggest that humans are given to 'rational' ignorance and irrationality and extract little subjective value from the accumulation of nonessential knowledge, this is potentially psychologically testable. The claims and assertions included in this thesis are no exception: this project's overarching justification of democracy is contingent on a tendency among human beings to unproblematically accept a 'folk theory' of democratic virtue and efficacy: the existence of such a tendency is, at least potentially, a matter that could be proven or disproven by psychological study.

This chapter aims to establish, among other things, the value of psychological research to political theory, and the potential analytical improvements that political theorists can bring to bear when interpreting the findings of such psychological studies. It is primarily concerned with the possibility and implications of a non-anonymous politics. Such a loss of anonymity is particularly pertinent to deliberative democracy, whose beneficial features are usually contingent on a publicised approach to preference-shaping and the justification of political views. The implications of anonymity-loss, and the advantages associated with hard-won, anonymous forms of democratic participation, will be discussed with reference to various social-psychological findings. There are also various areas where extant psychological studies have considerable implications for democratic theory more widely, and some of these will also be surveyed.

The first part of this chapter will attempt to establish the significance of anonymous participation in democratic politics, including its origins and problematic relationship with notions of 'public reason'. It will then turn to a brief discussion of the potential for mutually productive interdisciplinary collaborations between political theory and social

psychology. The second half of the chapter sets out a selective survey of psychological studies whose findings have particular significance for the work of democratic theorists.

Anonymity and Public Reason

Anonymity is, by most accounts, antithetical to public reason. Public reason, at its most essential level, is the idea that social acceptability should be one of the measures of the value of a contribution to politics. Under ideal circumstances, when a public reasons, and reasons well, a range of possible but publicly *unreasonable* perspectives or alternatives will be excluded from political discourse. The extent of our comfort with this idea should be informed by the extent to which we believe that the social concepts we arrive at through public reason can be considered to be fallible – and, if falsifiability or plausible fallibility are not possible benchmarks, then our comfort with public reason must surely be determined by the apparent procedural and psychological *value* that it offers as a system.

If, for example, we can conceive of a minority opinion that is both *correct* by some plausible standard,⁶⁰ and at the same time *unpersuasive* to the wider public norms of reasoning, then publicly-reasoning deliberative democracy must introduce more risks than it does benefits. One example of such an opinion with little chance of persuasiveness in the face of public reason may be the minority that believed homosexuality to be neither illness nor criminality in 1940s Britain. Similarly, a precept that is shared and accepted to be true by a majority, but which is also factually incorrect or implausible, could constitute grounds for the dismissal of public reason. When dealing with political concepts, factual or empirical proof of the validity of a certain stance will often be impossible, throwing our reasonability criteria back upon degrees of contextual plausibility. There is no empirical evidence that would be wholly persuasive to both sides of, for example, the abortion debate in the USA, which is based on a pair of divergent yet similarly unfalsifiable ethical determinations.

How, then, can public reason help us with such fraught politics? We may be forced to conclude that the views held by the larger group of individuals are necessarily indicative of the contextually ‘true’ answers for a given society. This is problematic enough, as has

⁶⁰ Deliberation can be considered the means by which a polity may choose between a multiplicity of similarly plausible standards. It is difficult to assert that any deliberative process will not eventually underscore the standard that is already most popular, or favoured by some dominant deliberating group.

been discussed in previous chapters. However, even if we accept that public reason is simply a procedural approach to the just establishment of political norms, the possible psychological processes entailed in *establishing* and *maintaining* such dominant perspectives must also come under consideration.

If shared political views can form the basis for a shared identity, and thus for psychological in-group/out-group dynamics – as some of the evidence presented in this chapter suggests – then public reason (and its handmaiden, public deliberative democracy) are presented with a problem. By removing the protections afforded by political anonymity, these more public forms of democratic participation create a formalised venue for a range of preference-forming and preference-changing psychological effects.⁶¹ The ethics and efficacy of these phenomena are the primary concern for this chapter.

Having established the theoretical and normative backdrop for these concerns, I will present a selection of relevant evidence from various studies in social psychology, offering an analysis of these findings from the frame of deliberative democratic theory. The following three key claims will be explicated, among others:

1. Perception of the risk of ostracism from a certain group is a very strong motivator, and individuals will go to great lengths to avoid being excluded. A public deliberative forum would therefore arguably yield fewer 'honest' divergent responses to a given question than an anonymous voting procedure.
2. The impulse to conform to the views of a local majority is enormously reduced by private, anonymous conditions. Anonymity-loss in a deliberative forum could therefore be expected to result in increased levels of conformity, regardless of the 'strength' of various arguments.
3. Asking citizens to deliberate upon questions of non-local, non-contextual significance may have the effect of triggering what is known as 'peripheral route' cognition, where deliberators would be more likely to embrace arguments that appear to be popular.

⁶¹ This is not to say that our eventual voting choices are not affected by the preference-informing influences of our contexts, our engagement with wider society, or the things we are exposed to quite routinely from media and partial, campaigning sources. We are political animals, by turns influenced and influential in our dealings with others of our species. As in previous chapters, I do not take issue here with the *fact* of preference-change, but with the inclusion of systematic attempts at preference-change as a standard part of democratic process itself.

Exclusion, Self-Exclusion and 'Laundering'

The previous chapter explored the competencies and epistemological situations expected of citizens within a deliberative democracy. Participating in a deliberative process based on the requirements of public reason is intrinsically different from the act of voting, and incorporates different epistemic demands. Deliberative democracy is often justified on the basis that these different competencies are preferable to the limited set required of citizens who are only expected to vote, and the previous chapter discussed how this justification might be at odds with the wider democratic ambition of "cognitive diversity".

This chapter deals with one practically unavoidable side-effect of public deliberation – anonymity loss – as a case-study of the kinds of unintended consequences which may proceed from a replacement of, or modification to, voting as the primary participatory activity of a democracy. This chapter's main assertion is that anonymity loss will tend to conflict with the objectives of both universal suffrage and cognitive diversity. A range of well-documented psychological effects and complexities arising from group behaviour will lead to self-exclusion from deliberative processes – or, failing this, the 'laundering' of unpopular preferences in the face of the disdain of other citizens. From the perspective of the theorists of deliberative democracy, an emphasis on structured, non-anonymous reason-giving is an epistemically important activity which is productive desirable outcomes in citizens; a set of public norms and an ownership of their own opinions that are intended to impose, in Joshua Cohen's words, "some desirable constraint on the proposals I can advance and defend ... [or] produce desirable consequences if reason-giving itself changes preferences ... so while I start preferring most what is best for me or my group, the practice of defending proposals with reasons may change my preferences, dampening the tension between my beliefs about what is right or politically legitimate and my preferences: not because that is the point of deliberation, but because that is its effect" (Cohen, 2009, p. 252).

Thus, where the previous chapters were concerned with the nature, feasibility and ethics of public reason and the efficacy of deliberation in terms of its ability to realise its various objectives, this chapter questions whether publicly reasoning and deliberating citizens are actually preferable to those who are expected simply to vote from another perspective. As Knight and Johnson have argued, public deliberation could plausibly lead to "self-censorship due to the anticipated negative reaction of other participants to one's political choices", negatively impacting upon an individual's ability to contribute to collective decision-making (Knight & Johnson, 2011, p. 226).

It is important to establish from the outset that the implications of the evidence presented in this chapter are relevant not only to a *radical* deliberative democracy – one that prescribes that aggregative systems are, as far as possible, replaced by deliberative procedures – but also to any scenario where formal deliberative participation is included as a step *prior* to voting (which we might call *reformist* deliberative democracy). Active participation in deliberative democracy necessitates a phase of anonymity loss *even if a following vote is conducted using the secret ballot*. Either version of deliberative democracy necessarily entails a more involved, and thus more epistemically and materially costly, form of democratic participation.⁶² More pertinently for this chapter, a voter may become subject to what amounts to peer pressure, react to a perceived threat of ostracism, or be persuaded by something less than the strength of the best argument during a process of public deliberation – and these effects may follow that voter into a polling booth afterwards as well.⁶³ This problem – that deliberation, though closely connected to a concept of public reason, is not in fact capable of approximating the conditions of something like an ideal speech situation – is a potentially serious one. This seriousness is compounded by the fact that to claim otherwise – and argue that individuals will be capable of misrepresenting their real views in a preliminary deliberation so as to avoid ostracism, and proceed to ‘revert’ to their original, less publicly-acceptable preferences while anonymously voting – would be simply to emphasise the potential for the *pretence* of changed beliefs which deliberative processes may foster; hardly an advertisement for this form of democracy.

It is also important to note at this stage what this chapter is *not* arguing: the reader will not find here an argument along the lines that there is *no such thing as a legitimately changed preference*. Regardless of the plausibility of ‘laundering’, self-exclusion, and the undesirable side-effects of minority/majority group interactions, one must also accept that sometimes people *change their minds*, and that some manner of deliberative process could well be responsible for this kind of legitimate shift in preferences. Indeed, to employ terms such as ‘legitimate’ and ‘illegitimate’ in reference to an internal psychological process such as preference change may itself be counter-productive, and I shall aim to avoid doing so too often here.

⁶² Some of the psychological findings presented in this chapter also have some significance for the deliberations of representative bodies, where partisan in- and out-groups are even more formally established and rigorously adhered to.

⁶³ Of course there are a multitude of other, potentially malign and undesirable, influences that will act upon the political preference-formation of citizens as a normal part of existing in a public sphere (exposure to ‘the media’ is a commonly-cited example).

That said, one of the core concerns in this inquiry is to determine whether conscious, reasoned preference-change is distinguishable from laundered, manipulated, or intimidated preference-change. The fact of the existence of legitimate preference change does not rule out the possible, or even the plausible, existence of *illegitimate* preference-change. If we cannot tell the two apart, then there are grounds to prioritise anonymous, private conditions – where deliberative activity is purely voluntary, in a strong sense of that word, and where the chief act of democratic participation is a vote that is cast and aggregated in the strictest confidence – over creating venues for public deliberation which may not produce uniformly desirable changes in the electorate.

This argument is reinforced by another important claim: that a more formal deliberative phase in participation – even if it is voluntary – entails an unequal distribution of political influence (Bohman, 2000). Those who opt to attend a deliberative forum are, in an important way, experiencing a deeper kind of democratic participation (indeed, one is moved to ask what the point of deliberative democracy would be if this were not the case). By the same token, those who opt *out* of an opportunity for deliberative engagement are missing out on the advantages enjoyed by those who have chosen to participate. Several additional factors could widen the gap between deliberators and non-deliberators in a voluntary system: if deliberation is used, for example, to generate new alternatives to put to the vote, then the increased influence enjoyed by deliberators becomes more easily measurable. And, significantly given the contents of this chapter, if a non-deliberator's motivations for excluding themselves is not merely apathy, but membership of a minority group or the holding of certain unpopular views, then the ethical conundrum raised by voluntary deliberation plainly deepens.

It is quite normal for political theorists to challenge the meaningfulness of formal freedoms held by individuals in various situations. An egalitarian theorist may question, for example, just how 'free' an unconstrained yet poverty-stricken individual is; is she as 'free' as a wealthy person? Is it meaningful to claim that she is 'free' to own a car when she cannot afford to buy or run one? On the other hand, one might very well ask: is a citizen 'free' to *not* attend a deliberative event which may improve their level of democratic participation? Is a citizen with unpopular views as 'free' to come and reason publicly, and so experience a higher level of participation, as a citizen who holds normatively widespread, 'common-sense' beliefs?

Crucially, the concerns indicated in the preceding paragraphs are also in many cases cited as *benefits* of deliberative processes and public reason by the theorists that advocate such

approaches (Miller, 1992; Young, 2000; Goodin, 2003). Why, such a theorist might ask, should we care if citizens with unpalatable beliefs are compelled to either adapt them, launder them, or avoid participation? Surely such effects represent an advantage of deliberative democracy over aggregative approaches? Indeed, we should at least consider the possibility that these theorists have a point. But, unless we endorse the view that public reason is truth-tracking (or itself definitive of truth), it is only reasonable to presume that not all minority opinions are necessarily incorrect (as this project's section on public ignorance perhaps indicated), and that popular truths are often contingent on a certain temporal or geographical context: not every generally objectionable political view stays so for very long. While the conclusion of this thesis will return to discuss ethical questions such as these directly, it is important to bear them in mind as this chapter addresses the mechanisms of exclusion and influence which may be intrinsic to deliberative democracy.

It is not unusual to offer a critique of deliberation on the basis that its consequences may not be universally normatively attractive (Knight & Johnson, 2011, p. 140). In particular, the possibility that the preference-shaping effects of deliberative democracy may have ethical implications or be the product of undesirable responses to normative social pressures has been considered, and one of the intended purposes of this chapter is to add the weight of psychological evidence, as well as conceptual clarity, to such claims.

Timur Kuran is one scholar who has offered a consistent exploration of such a possibility, focusing more upon the falsification of preferences in the public sphere than the possibility of undesirable *real* preference-shaping (Kuran, 1990; Kuran, 1993; Kuran, 1995; Kuran, 1998). Importantly, Kuran envisages a sustained psychological and informational impact being imparted by public deliberation, one which would potentially persist even in a subsequent anonymous vote (as in Fishkin's deliberative polling): "insofar as the discussions were afflicted by insincerity, any learning that occurred will have been shaped by the truncated, censored, and distorted thoughts that participants opted to communicate" (Kuran, 1998, p. 536). While offering a limited engagement with classic psychological studies, Kuran prefers to offer an economic model of behaviour in public politics based on the assumption that actors will pursue the reputational utility of agreement with majorities, and avoid the penalties that are necessarily associated with disagreement (the implied psychological claims of this model are, as we shall see, quite reasonable) (Kuran, 1995, pp. 24-40). He then uses the divergence between 'true', private preferences and their falsified public counterparts as an explanatory framework for several important phenomena in social and political history.

Glenn Loury discusses similar questions in terms of a meta-level public debate that he perceives to be taking place on the role of self-censorship and political correctness (Loury, 1994, p. 430). Yet these accounts suffer from an inadequate engagement with a social psychological literature that could shed much light on their preoccupations – a shortcoming that they share, in fact, with the deliberative democratic theories that they explicitly and implicitly seek to criticise. Perhaps as a result, they predominantly focus on the self-censorship and preference falsification, despite the fact that the psychological literature implies that the implications of undesirable preference *assimilation* – of *real* agreement generated in undesirable ways as the result of public, non-anonymous deliberation – is an issue of at least equivalent importance.

Anonymity and Universal Suffrage

Inquiry into the relationship between anonymity and political participation carries significant historical precedent. Traditionally, reforming movements demanding secret ballots and basic political privacy have gone hand-in-hand with progress towards a widened, and eventually a universal, franchise. As such, the opponents of democratic reform in the modern era have tended to directly oppose polling anonymity as a matter of course.

In 19th Century Britain, the original and prevailing presumption was that elections were public happenings, and should be conducted frankly, and in the open. The custom in many places was for the few voting men to indicate their preferences by a show of hands, an approach that made it easy for candidates or vested interests to keep track of the politics of individual voters – a strategy also made viable, of course, by the relatively small electorate. The radical campaigner John Bright argued specifically that, following a slight widening of the franchise in the 1860s, and in the absence of secrecy in voting, tenants would have grounds to fear unfair treatment or eviction if they did not vote in line with the preferences of their landlords. But even among political reformers, the principle of anonymous voting was as controversial as the concept of drastically widened voting franchises. The Parliamentarian and former Prime Minister Lord John Russell, then Leader of the opposition, voiced the complaints of many in his arguments against the introduction of the secret ballot, and his reason for rejecting it was essentially that it appeared to be the

first step – “an obvious prelude” - in the institution of universal suffrage (Mill, *Thoughts on Parliamentary Reform*, 1859, pp. 9-10; Park, 1931).⁶⁴

Nevertheless, the Ballot Act of 1872 introduced the institution of anonymous, secret ballots, realising the ambitions of generations of radical campaigners. In terms of immediate political implications, William Gladstone’s ‘Midlothian’ election campaign of 1880 showed that direct appeals to the general public on topics of national and international significance could prove to be a successful electoral strategy, and this success is at least partly attributable to the empowerment of a widened electorate, and the introduction of secret voting, in the preceding decades (Brooks, 1985, pp. 65-66).

Contemporary democracies tend to adhere to the principle of secret ballots as a matter of course. However, in other venues involving collective decision-making, and at the more granular societal level, disputes over the introduction of anonymised participatory practices continue. In 2003, the US Chamber of Commerce entered into a dispute with key union leaders over their failure to use secret ballots during internal elections and voted decisions (US Chamber of Commerce, 2003). Even more recently, opposition parties in Armenia have petitioned to institute the publication of the basic details of voters, on the basis that, in the absence of this information, the government is well-placed to manipulate voting statistics and inflate or falsify certain outcomes (Armenia Now Leading Article, 2013).

Reviewing classic contributions to the field of democratic theory with the question of political anonymity in mind can produce some surprises. Rousseau, whose notion of the ‘general will’ is a crucial starting-point for so many of the political beliefs that underpin participatory and deliberative democracy (as discussed in earlier chapters), also explicitly abjures us to avoid deliberation of our political opinions with others. Rousseau believed that such discussion could only prove to be a venue for a distortion or manipulation of our rational and public-spirited grasp of the general will. We must presume that he considered the common good to be so self-evident to a reasoning citizen that surely only those who would deliberately seek to subvert it would have grounds to breach political anonymity and intrude upon the deliberations of another (Rousseau, 1762 [1987], p. 156). John Stuart Mill, on the other hand, was firmly opposed to the then-looming innovation of a secret ballot, and on grounds that may best be understood as republican in nature. So

⁶⁴ Interestingly, Lord John Russell is usually remembered as a thoroughgoing radical, responsible for. It is perhaps telling that even the era’s more recognised reformers were capable of blanket opposition to democratisation.

important is the duty of voting that “like any other public duty, [it] should be performed under the eye and criticism of the public” (Mill, 2004 [1861], p. 100). By maintaining publicly visible and non-anonymous voting, a polity produces “a powerful inducement to adhere to conduct of which at least some decent account can be given” – a clear prefiguring of contemporary deliberative democrats’ principle of publicly reasonable, and reason-giving, participation.

In so far as contemporary theorists of direct or deliberative democracy discuss the question of anonymity at all, they tend to view it as an obstacle to the improving effects of open, personal democratic participation (see, for example, Geoffrey Brennan and Philip Pettit’s abjuration to ‘unveil the vote’ (1990). The American constitutional law scholar James Gardner, having observed the lack of direct academic engagement with the principle of anonymity among democratic theorists, notes that, from any broadly republican standpoint, “anonymity seems deeply contrary to the fundamental requirements of a good political life” (Gardner, 2011, p. 939).

The democratic theorists who reject this general stance include Annabelle Lever, who situates political privacy as a central democratic principle in itself (Lever, 2011). Anonymous voting or the secret ballot are one of a package of important privacy rights described by Lever:

Secret voting for citizens ... reflects an important democratic idea: that citizens’ rights to vote does not depend on the approval of others, or on the demonstration of special virtues, attributes or possessions. While democratic rights to freedom of expression and association mean that citizens are free to consult anyone they want, the secret ballot means that they can share in collectively binding decisions without having to bare their souls to anyone who asks. (Lever, *Privacy and Democracy: What the Secret Ballot Reveals*, 2012, p. 12)⁶⁵

Anonymity Loss: An Overview

The secret ballot is thus a measure intended, in part, to prevent external attempts to influence an individual’s vote by coercion or bribery – a measure to reduce the incidence of coerced preference-falsification. This point is crucial for the purposes of the following argument.

⁶⁵ See Brettschneider (Brettschneider, 2007, p. 75) for an alternative argument for secret ballots in contemporary theory which is more focused on the prevention of intimidation and manipulation by other parties.

Deliberation of the formal, public sort is intrinsically counter-anonymous. On this basis I suggest here that deliberation fails in what I highlighted in the previous chapter as the second tacit ambition of deliberative democracy – that is, to improve the legitimacy (or 'authenticity') of democratic outcomes by increasing public 'ownership' of deliberated outcomes even where one's own preferences are not adopted. At root, this argument states that if people feel that they have had their say, they will be more likely to endorse the eventual outcome, whatever that outcome is – a vision of deliberation as a process of *mandate-maximisation*.

Many of the arguments in favour of deliberation run along the lines that the very conditions which rule out anonymity are themselves productive of desirable outcomes. Individuals are compelled by a public deliberative process to formulate their views in 'other-regarding' and 'reason-giving' ways. Unable to hold their political views privately, they must subject them to critical consideration and be held accountable for the content or implications of their preferences in a more complete way. Thus an important question to ask at this juncture is whether there is a particular tendency or bias in the *types* or manner of preference-orderings that might be eliminated or made less likely through deliberation. David Miller, as discussed in Chapter Four, offers a systematic understanding of inadmissible reasons: for example, deliberation will arguably be capable of rooting out beliefs and reasons that are based upon factual claims that are demonstrably wrong: an articulation of the Enlightenment concept of reason that is reminiscent of the Folk Theory of Democracy described in Chapter Three (Miller, 1992, p. 61). By deliberating, such irrational, untrue or mistaken beliefs will be more likely to be systematically challenged, and accordingly the preferences that are built upon such beliefs will be more likely to change in light of the facts. In questions over political or social morality, however, no self-evident truths will be forthcoming this deliberative benefit is predicated upon the assumed existence of a common moral 'good' – a self-evidently correct course in all cases, echoing Rousseau's theoretically insuperable General Will. It is questionable whether simply coming to know more about a topic that is subject to essential moral contestation is able to produce 'better' outcomes in terms of preference-formation. The knowledge that is propagated under such circumstances will necessarily be biased by the predilections and existing preferences of the deliberators, and the presentation of various viewpoints will likely be affected by the scale and nature of the sub-groups making such contributions. Finally, it is questionable whether a formal deliberative procedure will be more effective for the purposes of information-sharing than some other, less psychologically loaded, democratic innovation. And indeed, it is worth noting of the following survey that it

includes evidence which seems to indicate that increased information is not a reliable source of preference change in itself (Kinder, Pape, & Walfish, 1980).

In addition to factually incorrect claims, Miller suggests that deliberation would be an effect means of challenging underlying beliefs that are of particular repugnance to society – and should be able to do so through sheer peer-pressure, so that the holders of such beliefs would be unwilling to articulate their views in the midst of a deliberative venue where they may well be judged for them (Miller, 1992, p. 61). Miller illustrates this with “the position of racist beliefs in contemporary Britain”; we could just as well re-introduce the example employed above: the position of homosexuals in 1940s Britain. Once again, the procedural deliberative value that Miller observes here is contingent on the existence of an objectively ‘better’ perspective in all cases subject to deliberative process. While deliberation may be a good way of confronting participants with entrenched views with the existence of ‘the other’, and of developing and articulating alternative ways of thinking about some issue, it is not clear that a certain standard of public reason is immune from simply being a mechanism for the promotion of those same entrenched social norms.

To be more categorical, two problems arise from the anonymity-loss that intrinsically accompanies deliberative democratic fora. First, knowledge of the non-anonymous nature of deliberative proceedings could result in the **self-exclusion of citizens with unpopular, niche or minority points of view**. Such individuals would either disengage from the political process altogether or attempt to falsify their views over the course of deliberation. The impact of these possibilities depends greatly on the importance attached to engagement with a process of formalised deliberation in a given society. If deliberation is considered an important part of the democratic process and is a key means of the dissemination of information to an electorate, the impact would be severe enough; if deliberation in some way is directly linked to conventional voting (or replaces it wholesale) then the upshot of self-selected absenteeism from the deliberative process could result in the categorical and thorough-going disenfranchisement of minority opinion.

The second, related problem associated with anonymity loss is that of the possibility of **the coercion of those with minority points of view** by those that belong to the majority. A system like that proposed by James Fishkin – a pre-election national “deliberation day”, featuring deliberative events for the public – could constitute a venue for the concerted and formalised subjection of minorities to majority points of view. The upshot of such events, labelled in gentler terms as the pursuit of consensus, is rather the attempt to de-

legitimise views that differ from those of the majority: deliberation as populism. I argue that this at least resembles a process of coercion for preference-change – or, in Goodin's words, the implicit requirement to “launder” a given position in order to render it more publicly acceptable (Goodin, 2003). Psychological researchers, some of whose results are discussed below, go some way to demonstrating just how easily subject to manipulation a single individual's preferences can be to the various pressures of group behaviour.

The dangers associated with the loss of privately formed and reported preferences take on a more sinister aspect given the possibility of future cultural norms that greatly deviate from those prevalent now. Intolerance of a racial or cultural minority has been historically shown to be capable of materialising very quickly as a societal norm. How would a deliberative forum objectively 'improve' the predilections of a citizenry dominated by, for example, a racist majority? Where in traditional aggregative constitutional democracies a potentially persecuted minority has *at least* recourse to 'one person, one vote' (and the safeguard of declaring this preference in secret), an institutionally deliberative democracy could, in its drive for consensus, offer it only the opportunity to self-disenfranchise.⁶⁶

Social Psychology and Democratic Theory

Many of the claims deployed by political theorists would seem, from the perspective of social psychology, to be research questions with potential empirical answers, and the various studies and analyses of group behaviour present in the wide social-psychological literature is worthy of survey and review with theoretical claims in mind. Even during the current “empirical turn” in deliberative democratic theory, however, little attempt is made to engage with existing psychological research, or to generate useful new psychological insights (beyond the very well-established – and rather unsurprising – fact that deliberation tends to improve participants' knowledge-levels (Price & Capella, 2002; Barabas, 2004; Fishkin, *When the People Speak*, 2009). Yet increased knowledge is not a complete justification for deliberation in itself, as Shawn Rosenberg has argued (2014, p. 109).

⁶⁶ It is worth noting again that many deliberative democrats state as their objective something other than outright consensus. This thesis in part involves the assertion that formal deliberation can lead to either polarised or consensus-generating outcomes – but, more importantly, that individual preferences are difficult to change, and that changed preferences are not necessarily desirable if the basis for the change is something other than a genuinely and reasonably revised opinion.

There is a high potential for collaborative scholarship between the fields of democratic theory and social psychology. For example, a psychological study could provide statistical weight for a theoretical claim, or attach falsifiability conditions to assertions which would otherwise remain only ideal or abstract in nature. Political theorists, meanwhile, could provide far more nuanced analytical and interpretive frameworks than social psychologists generally tend to use. Despite this fertile ground, however, it is striking how infrequently democratic theorists engage with social psychology, and vice-versa.⁶⁷

This infrequency of interdisciplinarity has exceptions, however. Cass Sunstein's books *Infotopia* and *Why Societies Need Dissent* provide a well-researched summary of the impact of several group behaviours documented in psychological research, and their ramifications for other social sciences (Sunstein, 2003b; Sunstein, 2006). In this chapter I will engage with the evidence around what is known as 'groupthink', and some of its attendant psychological side-effects, such as 'information cascades'. Perhaps most pertinently for deliberative democracy, Sunstein has also set out what he calls the "law" of group polarisation, which states that the "members of a deliberating group predictably move toward a more extreme point in the direction indicated by the members' predeliberation tendencies" (Sunstein, 2003a, p. 81). This is a claim about human psychology, and is thus testable by psychological research, which Sunstein compares with the outcomes of James Fishkin's experiments in deliberative polling, finding that these moderated events confirmed the psychological experiments in a "significant" number of cases (*Ibid.*, p. 98).⁶⁸ Sunstein also had a hand in another original study which found that deliberation is generally productive of reduced diversity of opinion and that the polarisation phenomenon persisted even when the final statements of personal opinion were conducted anonymously (Schkade, Sunstein, & Hastie, 2010). This finding has

⁶⁷ To take one example, Benjamin Barber dedicates an entire 25-page chapter of his book *Strong Democracy* to consideration of "the psychological frame", and does not reference a single psychological study or established idea from the field of psychology therein (Barber, 1984, pp. 67-92).

⁶⁸ Many of the social-psychological phenomena catalogued by Cass Sunstein in *Infotopia* indicate that, for certain kinds of decisions, the wider the range of individual opinions that are aggregated together, the more closely the collective decision will track the truth (assuming, of course, that the case in question is dealing with some kind of ascertainable truth-value). For example, the old fairground activity of guessing the weight of an animal or the number of beans in a jar often show that the *average* of all guesses is closest to the truth. This is greatly encouraging until one realises that, to paraphrase The Marquis de Condorcet, if we assume that more than half of the participants are more than half-likely to make a decent guess, the *average* of all guesses will iron out the outliers and lie somewhere in the middle of all the decent overshoots and reasonable fall-shorts. In any case, *deliberative* procedures may not be the ideal means of capturing a 'wisdom-of-crowds' effect, which actually bears more resemblance to a market of individual value-setters than a forum of reasoning debaters.)

obvious implications for this chapter, showing that a public deliberative process can have potentially undesirable psychological side-effects even if followed by anonymous voting and aggregation.

Rosenberg (2014) offers a recent attempt to inject psychological realism into discussions about deliberative democracy, focusing on the limited extent to which deliberative norms and expectations are likely to correct for established psychological limits to analytical capacities (pp. 102-4), self-evaluation (pp. 105-6) and communicative competence (pp. 107-8). Importantly, Rosenberg also explains the weakness of several attempts to measure changes in participants' reasoning or coherence: Gastil and Dillard (1999) equate coherence with the 'clustering' of participants' preferences around pre-established ideological stances (so that one is more coherent if one's preferences all seem typical of conservatism, rather than distributed among conservatism, liberalism and socialism). This measure of coherence seems extremely weak, driven as it is by normative (rather than fundamental) conceptions of coherent political positions, and so can only measure the extent of an individual's social learning and adherence to the established norms of a given context (Rosenberg, p. 109).

Some of the methodological issues which are sometimes neglected by contributors to the literature on deliberative democracy are of particular importance. Joshua Cohen's engagements with psychological research, for example, illustrate the potential advantages of engaging with social psychology literature, but also provide an example of the kind of problems and contradictions which can be introduced by reference to evidence from another field of study. In a simplified extrapolation from social psychology findings, he sets out how group behaviour tends to produce difficult circumstances for individuals who find themselves outside, or on the periphery of, the group in question (Cohen, 2009, p. 255). Cohen proceeds to argue that procedural changes can be made in order to create space for minority views. However, this engagement with psychological literature leaves Cohen at risk of self-contradiction – for, in endorsing the capacity of deliberative processes to effect preference change in their participants he at first venerates, and then finds problematic for minorities, the very same set of psychological effects.

Other theorists have engaged more directly with the problem of anonymity, and the way that it is explored in social psychology. James Gardner, for example, offers an excellent overview of the complicated interactions between anonymity and other conditions in a multitude of non-political circumstances, as observed by social psychologists (Gardner, 2011). This chapter does not seek to simply replicate Gardner's efforts, but to attempt to

extract further insights relevant to the problem of anonymity-loss from some other social-psychological sources, including some classic contributions to the field, many of which did not set out to specifically examine the effects of anonymity. The core literature of social psychology carries implications for anonymity loss that, for the most part, Gardner does not engage with.

It may prove helpful to establish some of the methodological and terminological norms of social psychology – particularly the branch of that discipline that is particularly concerned with the dynamics of group behaviour, exclusion and ostracism – before presenting such studies directly. The academic language used by social psychologists also seems to have an important bearing on the explanatory and theoretical frameworks they employ in order to interpret the results of their research.

One central set of assumptions that many social psychologists appear to adhere to operates around the distinction between ‘compliance’ and ‘internalisation’, which may both be categorised as types of *persuasion*. ‘Compliance’, in general, is used to describe an individual acceding to or agreeing with the perspective of another individual or group without actually updating their internal preferences – in essence, it is the psychological state of ‘going along with’ something that is contrary to internal beliefs, of ‘faking’ agreement. This contrasts with the state of ‘internalisation’, which indicates *real* preference change as a result of the influence or information brought to bear by another person or group. Herbert Kelman describes an additional, third type of attitude change, ‘identification’, which more specifically describes a shift in stated preferences due not to an internalisation of persuasive new information or arguments, but specifically so as to associate oneself more closely with a given group or person (Kelman, 1958, p. 53). ‘Identification’ is arguably distinct from ‘compliance’ because it is a positively-motivated cause of preference change, resulting in induced behaviours that an individual actually believes, rather than a falsehood that is maintained in order to avoid censure. For the purposes of our discussion, we shall follow a great deal of the psychological literature (emulating, for example, Clark McCauley in his discussion of the relationship between social influence and ‘groupthink’ (1989)) in allowing ‘identification’, as Kelman describes the phenomenon, to be categorised as a subset of ‘compliance’.

One appropriate question may arise here for the democratic theorist: how, and on what basis, do we distinguish between ‘compliance’ and ‘internalisation’? If there is no clear answer to this question – and we should perhaps bear in mind the burgeoning explanatory capabilities of neuroscience before dismissing at least the *potential* to be categorical about

the differences between these two mental states at some future point – then perhaps this is a distinction which ought to be set aside altogether. There are other, similarly problematic questions – over, for example, the normative implications of internalisation. Are we to understand this as evidence of a human’s susceptibility to ‘brainwashing’, or as the fundamental basis for a more positive tendency toward reasoned agreement? Moreover, what difference would it make to a democratic outcome if, for example, we had reason to believe that a winning margin of voters were not internally persuaded, but in fact made to feel that they ought to comply?

There are other tendencies within the literature of Social Psychology that are worthy of some preliminary consideration. The field has a particular way of referring to the extent of an individual’s propensity to think carefully about the information or arguments with which they are presented. The range of behaviours observable here are described in terms of ‘need for cognition’, or NFC. People who seem to avoid detailed thinking in this sense are described as being ‘low in need for cognition’, while those who find some value in careful consideration are said to be ‘high in need for cognition’. I would characterise this terminology as *polite*; other social scientists, in their discussions of individuals who appear disinterested in furthering their political knowledge, typically pull fewer punches (even as they sometimes characterise such behaviour as being in line with a model of ‘rational ignorance’). Psychological studies focused specifically on NFC have revealed some interesting and politically relevant results. For example, high NFC does not appear to be particularly linked with a tendency for ‘open-mindedness’ (Fleischhauer, Enge, Brocke, Ullrich, Strobel, & Strobel, 2009); while it may seem intuitively correct to associate careful thinking with the capacity to adjust preferences in the face of new arguments or evidence, this is not necessarily borne out by the psychological literature. This way of understanding human epistemic engagement could therefore contribute part of an alternative analysis of the evidence of widespread public ignorance presented in Chapter Three of this thesis.

Other findings in the field of social psychology take on a different aspect under careful theoretical scrutiny. In particular it is important at the outset of this survey to engage with one set of findings which are, at first glance, potentially damaging to the thesis being put forward in this chapter. Many studies have been conducted with the intention of discovering the ‘freeing’ effects of anonymous, rather than non-anonymous, speech situations. Interestingly, these studies have sometimes failed to find a significant tendency toward increased sincerity under anonymous circumstances (Pearlin, 1961; Malvin & Moskowitz, 1983; Gardner, 2011, p. 945). These findings, while significant and repeated, should be considered with some provisos. First, it is important to note that some other

psychological experiments seem to have yielded results which are at least indicative of some difference in individual behaviour when their standing within a certain group is at stake (some of which are discussed below). It may be that the potential impact of identifiability and anonymity may best be discussed within the context of group behaviour and the impact of the threat, perceived or otherwise, of social exclusion or ostracism.

Secondly, and perhaps more significantly, it is worth noting that these studies are analysing substantive results – visible behaviours in the participants of each experiment. What is *not* measured by these experiments is the possible psychological and behavioural impact of the *potential* for identifiability. Specifically, if a citizen is more likely to self-exclude from political participation (rather than falsify their views) as a result of the perceived threat to their standing within a certain group that might be posed by their identifiability with unpopular political views, then such self-exclusion would be impossible to measure in psychological experiments of this sort. The participants in these studies, by dint of their very participation, have not had the opportunity to choose *not* to participate, or simply represent the *set of individuals who are happy to participate* even in the face of publicising their views. The political context is thus rather different from the experimental ones that have yielded these results, a fact that must be borne in mind throughout the following survey.

This chapter now turns to a consideration of evidence from psychological research, and its implications for deliberative and non-anonymous politics.

Persuasion, Attitude and Change

Social Psychology has developed several explanatory models for the processes of attitude-change and persuasion.⁶⁹ The 'Hovland-Yale Model' was inspired by an attempt to explain the apparent effectiveness of the state propaganda employed during the Second World War for shifting popular beliefs and attitudes (Hovland, Janis, & Kelley, *Communication and Persuasion: Psychological Studies of Opinion Change.*, 1953). It sets out several very broad features that are considered to be of central importance to the ultimate persuasiveness of a communication:

1. **The attributes of the communicator** – their perceived expertise, trustworthiness, likeability, status, similarity to the audience, and so on.

⁶⁹ For the sake of clarity: the Oxford Dictionary of Psychology defines *persuasion* as "the process by which attitude change is brought about", while *attitude* can be defined as "an enduring pattern of evaluative responses towards a person, object, or issue" (Colman, 2008).

2. **The nature of the communication** – whether it is built around emotional content, perceptions of its fairness ('fairness', in this context, being the extent to which the communication honestly presents several sides of an argument), and its explicit or implied conclusions.
3. **The characteristics of the audience** – their initial position relative to the stance of the speaker, their intelligence and personality traits, and their self-esteem.

These features would together dictate the lion's share of the persuasiveness of a given communication. Its effect is understood by this model to operate over four distinct processing stages:

- a. The extent to which attention is paid to communication,
- b. The extent to which content of attentively-received communication is actually understood,
- c. How much of the content of this understood communication is also accepted,
- d. The extent of retention of received, understood and accepted communication.

Finally, the model also sets out the ways in which persuasiveness can be determined. Successfully persuasive communications might effect changes in opinion, behaviour, knowledge, perception, or emotional responses on the part of its audience.

Perhaps unsurprisingly, given its broadness, there is substantial evidence in support of this model. Studies have shown that otherwise-identical communications are more persuasive when they are presented as originating from sources that are considered to be more prestigious or authoritative: for example, the contents of a communication are considered to be more reliable if they originate from a medical journal rather than from a newspaper (Hovland & Weiss, 1951). Prestige can also be communicated on the basis of personal qualities that, on the face of things, should have no bearing on the authenticity or reliability of their thought processes. Beautiful people are more likely to be persuasive, for example, which at least partially explains why advertisers use attractive people to advertise products which don't necessarily have anything to do with enhancing attractiveness (sometimes known as the 'halo effect') (Chaiken & Eagly, 1983).

This model also seems to have accurately predicted the importance of the appearance of even-handedness in a persuasive communication. Accounting for alternative explanations or arguments seems to be more persuasive than simply presenting a one-sided account that underscores the communicator's own argument, possibly suggesting that the

representation of various responses to a given argument will ultimately create a context that is generally beneficial for the *most persuasive* argument – a good reason, perhaps, for the holders of popular views to engage in public deliberation (Hovland, Lumsdaine, & Sheffield, 1949). Threatening messages, meanwhile, seem to be persuasive if they also incorporate the notion that threats are avoidable. The most persuasive anti-smoking messages, for example, emphasise the risks of tobacco while at the same time arguing that giving up is plausible (Sturges & Rogers, 1996).

The traits of the audience are also a significant factor. Individuals who are defined as being highly 'in-need-of-cognition' tend to be more influenced by strong arguments (within the terms of the Hovland-Yale model), whereas weaker arguments gain more traction with low need-for-cognition individuals (Cacioppo, Petty, & Morris, 1983). This is a result that perhaps confirms our intuitions; as other studies show, it seems reasonable that knowledge and familiarity about a given topic would render an individual less susceptible to attitude change (Eagly & Carli, 1981). In fact, informational content seems to be of minimal significance to the persuasiveness of a communication. More informative communications do not necessarily bring about changes in behaviour or attitude – the other attributes of a communication seem to be far more important (Kinder, Pape, & Walfish, 1980).

The Hovland-Yale model is not universally confirmed by experimentation, then. Interestingly, studies have not found much basis to support this model's claim that self-esteem is important for ease-of-persuasion.

Alternative models have been developed – of particular importance is the Elaboration Likelihood model, which appears to be of widespread and increasing importance within the field of social psychology (Petty & Cacioppo, *The Elaboration Likelihood Model of Persuasion*, 1986). The Elaboration Likelihood model argues that "people are generally motivated to hold [what they perceive to be] correct attitudes", and will engage in a range of behaviours in order to do so. According to this model, there are two distinct ways of processing persuasive messages - the *Central Route*, involving detailed and systematic consideration of a given communication's substantive argument, and the *Peripheral Route*, where influence may originate from features other than the actual contents of the communication, such as the number of reasons given, the perceived nature of the speaker, and so on.

Individuals with high ability, motivation, and 'need for cognition' are more likely to process these things with the Central Route. Individuals with little interest, time, or

relevant knowledge or 'need for cognition' are more likely to use the Peripheral Route. Evidence for such divergent processing is provided by Petty, Cacioppo, and Goldman (1981), whose study indicates that students were more likely to critically analyse plans for an exam that would affect them than one which would not. The personal salience of a communication thus increases an individual's 'need for cognition', which in turn increases the depth of their engagement with said communication. This is an interesting finding. If epistemic engagement is at least partially predicated upon the salience or *closeness* of a given communication's importance to an individual's perceived concerns and best interests, then perhaps more reasonable decision-making and participation is likely to be found when individuals consider local, specifically targeted information – and perhaps the very act of introducing larger-scaled, nationally-but-not-personally salient questions to individuals will tend to direct their responses through Peripheral Route processing.

Meanwhile, when responses to a given communication are channelled through the Peripheral Route, studies show that individuals are more likely to endorse a certain argument if they perceive that the argument is popular among other people (Axson, Yates, & Chaiken, 1987). In a deliberative context, this raises some serious questions about the *validity* of persuasion. If popularity is a motivator for endorsement where individuals are less motivated to be engaged with the particularities of a given argument, then this may be perceived to be an in-built cognitive bias towards the views of a given majority.⁷⁰

Conformity

Social Psychologists have devoted considerable effort to the exploration of the human tendency toward conformity, and no discussion of the possible psychological effects of anonymity-free deliberation would be complete without an engagement with the wealth of evidence that their studies have produced.

The most defining of classic studies of human conformity are also among the most ethically controversial, as in the case of the (in)famous Stanford Prison Experiment (Haney, Banks, & Zimbardo, 1973), whose findings (that under certain conditions, a significant percentage of human beings are quite liable to treat each other punitively and/or coercively when instructed or allowed to do so by perceived authority figures) caused massive social consternation, coming only a short time after, and seeming to confirm beyond doubt, Hannah Arendt's argument that "evil" is "banal": that perfectly

⁷⁰ This finding seems to have particular potential for the study of democracy. It could help to explain, for example, the idea that greater social pluralisation has in fact resulted in a *narrowing*, rather than a widening, of political forms.

ordinary people are capable of terrible acts when a specific set of norms and socially influential conditions pertain (Arendt, 1963 [2006]).

Studies of the propensity to conform with expectations or perceived group norms do not need to also coincide with an examination of the human relationship with 'evil', however. Some early studies of conformity are worthy of consideration. Jenness' very early (1932) experiment found that participants' second estimates of the number of beans in a jar would shift significantly towards the group's estimate following a short discussion. Unfortunately, given the parameters of this study, it is unclear whether such an outcome is properly to be understood as the result of normative social influence, some version of a 'wisdom of crowds' or 'cognitive diversity' effect, or some combination of both.

Sherif produced more interesting results with his tests of conformity in an ambiguous situation, themselves a more focused discussion of an effect catalogued by Adams as early as 1912. Sherif's study was portrayed to participants as an examination of the so-called 'autokinetic effect', where it is possible to perceive fixed images as moving given a lack of other visual stimuli (Sherif, 1935). The participants were placed in a darkened room, where the only visible feature was a pinpoint of light. Most believed that the light was moving. Interestingly, however, when invited to discuss the experiment with fellow participants, the individual descriptions of the motion of the point of light converged.

Solomon Asch's 'line lengths' experiments provide a powerful and well-known demonstration of normative social influence (Asch, 1951). Around a third (32%) of participants who were asked to compare the lengths of two lines would tend to modify their answers when in the company of a group of confederates who were instructed to give identical, incorrect responses. Perhaps more interestingly, about 75% of participants would conform at least once over the course of a series of experiments, with slightly different proportions of stooges to naives and experimental designs. Making the task of comparing the line lengths slightly more difficult – by making the lengths more similar – predictably resulted in higher levels of conformity. During the interviews following the experiments, some participants would say that they deliberately gave the incorrect answer so as not to be excluded or 'appear different'; others thought a mistake had been made and that they didn't want to hurt the study by being the only one to disagree; still others genuinely seemed to have come to believe that the group's incorrect answer had in fact been the truth.

Asch found that unanimity of opposition appeared to play an important part in the successfulness of attempts to influence participants: the presence of even one supportive

voice, correctly answering the question about the relative lengths of the lines, was often enough to encourage participants to disagree with the majority of stooges. Beyond this, the scale of the majority seemed to play little part in influence once beyond a ratio of around three stooges to one volunteer. Thus "a unanimous majority of three is, under the given conditions, far more effective than a majority of eight containing one dissenter". But, as other studies determined, this reduction in conformity when supported by at least one other participant appeared to vanish when dealing with *opinions* rather than perception tests (Allen & Levine, 1971).⁷¹

(Interestingly, it is possible to see the effects of strong in-group behaviour when the line-lengths experiment is reversed. With 16 naïve participants and only one stooge deliberately giving an incorrect answer, the experiment would degenerate as the stooge became subject to open mockery and ridicule!).

Most significantly for the prospects of a non-anonymous politics, privacy when offering answers to questions about the relative length of the lines was shown to significantly reduce the scale of conformity to an obviously-incorrect majority opinion. Under private conditions, conformity was reduced in both Asch's original experiment (from 32% to 12.5%) and in repetitions of the study conducted by Deutsch and Gerard (1955).

The significance of the line-lengths experiment is magnified by this generally high level of replicability, as shown in studies by Crutchfield (1955), Larsen *et al.* (1979), and Abrams *et al.* (1990), who established that the strength of normative social influence appears to be magnified when naïve participants perceive the influencing stooges to be a part of their 'in-group' during his repeat of the line-lengths experiment. Crutchfield's electronic version of the experiment is also worthy of specific consideration. Participants were placed in booths and told that they were the last respondent, before being presented with a series of lights to indicate the responses of 'previous' participants in order to create the impression of an incorrect majority. Crutchfield found 30% conformity with incorrect answers on an Asch-style line-lengths test, as well as with a test that required participants to input the last number in a series. Even higher levels of conformity (46%) were discovered when participants were asked to decide the larger of two shapes.

Crutchfield's results have an interesting bearing on any theoretical argument regarding the effects of anonymity. By placing participants in booths and simulating a body of

⁷¹ There also appears to be some disagreement on the scale of impact generated by an experiment using a larger majority (Gerard, Wilhelmy, & Conolley, 1968; Bond, 2005).

incorrect 'public' or 'peer' opinion to expose to participants, the immediate effects of peer-pressure and other such group dynamics were arguably removed. The nevertheless high levels of conformity suggest either that one of the driving motivations of answer-falsification was an effort to not appear to be inadequate in the eyes of those *conducting* the experiment, or that, once felt, normative social influence is capable of enormous influence even in a private, relatively anonymous setting. It is worth noting that secretly balloted democratic processes are *more* anonymous than most psychological experiments where, unless special efforts are made to convince them otherwise, participants will be conscious of the fact that, at a minimum, the administrators and designers of the experiments they participate in will be aware of the answers that are given.

At a certain point, it became clear to psychologists that their understanding of conformity in groups would need to be more nuanced if it were to accommodate the very different types of behaviours that intuitively appear to be conformist. On the one hand, it seems likely that many individuals, under the psychological pressure exerted by normative social influence, would strategically modulate the presentation of their opinions in order to conform. Other individuals, however, seemed to become convinced not only that they should conform with the beliefs of a strong majority of their peers, but also that they would be *right* to do so, having been convinced (or having convinced themselves) that they were initially incorrect and, like a small percentage of the participants in Asch's line-lengths experiments or Rousseau's notional citizen who mistook the true public interest, actually adopt a new perspective or belief.

Psychological scholarship presents this distinction as one between *compliance* (where an individual conforms with a majority, concerned about the consequences of their difference, but keeps their private opinions unaltered) and *internalisation* (where a genuine 'change of heart' has been produced). Psychologists have varied in their explanation of the bases for these differences. Deutsche & Gerard (1955) tended to ascribe internalisation less to normative social influence than to 'informational social influence', suggesting that it would be more common for an individual to change their mind if presented with strong new evidence that contradicted their original stance and supported the majority's, creating the conditions for what Mann (1969) refers to as "true conformity". Insko *et al.* (1983) develop a more nuanced and more plausible view, where normative and informational social influence are both entailed in the productions of both kinds of conformity, inter-relating with each other in complex and all-but-untraceable ways. This understanding of conformity is based upon a more sophisticated – and more

fully problematized – concept of ‘information’, which cannot be considered to be wholly distinct from strategic normative communication.⁷²

Groupthink and Group Dynamics: Inclusion and Exclusion

When political theorists turn their attention to the possible psychological effects of decision-making group dynamics, they will often turn first to the concept of ‘groupthink’, which has developed in its usage into a kind of catch-all term for failures of reason due to group dynamics that, for whatever reasons, prevent cognitive diversity. Irving Janis’ (1972) original definition of the social-psychological phenomenon he called ‘groupthink’ is that it constitutes “a mode of thinking that people engage in when they are deeply involved in a cohesive in-group, when the members’ strivings for unanimity override their motivation to realistically appraise alternative courses of action” (T Hart, 1994, p. 9).

This description, through several iterations and re-formulations, remains succinct and useful (even if, as T Hart points out, it seems to confusingly incorporate process, outcome and possible causes). The simplest, most effectively reduced definition, in T Hart’s words, would be any situation where a group dynamic tends individuals towards “excessive concurrence-seeking” (T Hart, 1994, p.7). Meanwhile, the closed-door decision-making of the Kennedy administration leading up to and during the Bay of Pigs Invasion has become a classic example of groupthink-in-action within the political sphere.

Groupthink, however, may simply be the most politically visible product of the psychologically hard-wired tendencies that are often observed in the interactions between individuals and the social groups within which they operate and relate to one another. At its most fundamental level, the social psychology of group behaviour is marked by a strong desire to *belong*, and this desire appears to be strong enough to motivate a variety of behaviours, many of which would seem undesirable from the perspective of the deliberative democrat. The human desire for belonging may be the main motivator for the tendencies toward conformity set out above, and may even underpin what social psychologists refer to as ‘pluralistic ignorance’, where *entirely untrue* assumptions about the beliefs of an in-group of peers are adhered to, against the private preferences of the individual, so as to more completely conform with local norms (Kitts, 2003). The designers of democratic and deliberative experiments may feel compelled to avoid the intuitive implications of such tendencies, and so structure deliberative fora in such a way as to

⁷² For a discussion of a similar epistemological problem in political science, see the section on ‘framing effects’ in Chapter Four of this thesis.

minimise the impact of the automatic social groupings that will arise based on similarity of stated reasons and political sentiments.

Cohesiveness – as a group-psychological phenomenon – is the subject of a considerable body of research, producing multiple definitions and research frameworks, and remains, according to 'T Hart, an “elusive” concept ('T Hart, 1994, p. 32). It is the product of multiple causes, some of which remain unknown to psychological research, and any hierarchy within this array of causes is contextually variable and difficult to determine. The history of the analysis of group cohesiveness is worthy of academic research in itself, and 'T Hart's book would provide a strong beginning to such an effort. Briefly, the most broadly used understanding of cohesiveness seems to have shifted between two notions in the latter half of the Twentieth Century. A broadly-defined post-war definition deployed by Festinger (1950) and others, which described cohesion as revolving around a range of factors which increase individual- and group-based 'attraction', seems to have been generally discarded in favour of a revisionist approach which prioritises a negatively-framed idea of cohesion (as exemplified by Cartwright and Zander (1968)), addressing questions such as: how do groups react to external pressures or divisive conditions? Is there a positive correlation between cohesiveness and a group-averse 'external' environment?

The self-perceived status of an individual within a wider group is often an extremely important contributor to the wider psychological health of that individual. However, the definition and boundaries of groups – and the ways in which 'membership' and conformity to their norms can be achieved – are complex considerations in their own right. Some groups and sources of identity may revolve around purely descriptive concerns; one's race or ethnicity may appear to be enough to qualify one's membership for some groups, for example. In other groups, however, a nuanced pattern of behaviour, or the demonstration of the holding of certain key values, may be crucial. These different elements may also interact in subtle ways. For example, is it better – more conducive to group inclusion - to 'appear' (descriptively) to belong to a certain group while acting in contravention of their norms, or to be an 'outsider' by appearances while agreeing strongly with the groups established set of beliefs and prescribed behaviours? Such questions as to the nature of groups and the basis for their coherence are frequently the basis for study by social psychologists, and may be able to shed some light on the kinds of group behaviours that may occur during public deliberation between minority and majority groups.

One popular psychological approach to such questions is known as Optimal Distinctiveness Theory, wherein individuals are thought to behave in ways that they consider to maximise the chances of achieving a balance between group inclusion on the one hand and individual distinctiveness on the other. This balancing act is thought to underlie all questions of social inclusion. In general, it is thought that individuality and consistency of the self is often calculated to be of lesser value than group membership. Interestingly, the objective of maximised belonging may also be served by a maximisation of the *gap* between different groups, which creates the opportunity for more clear-cut self-identification with one group or another. As Pickett, Silver and Brewer put it:

Because social groups satisfy very basic human needs (belonging, security, and assimilation), the potential loss of that group membership (as signalled by marginal ingroup status) can be extremely threatening. In response to this threat, individuals may attempt to change the self to become more prototypical, that is, engage in processes such as self-stereotyping. However, because prototypicality is determined by both intragroup similarity and intergroup differences, marginal group members should also be very concerned (perhaps hyper-concerned) with maintaining clear intergroup distinctions and the integrity of ingroup and outgroup boundaries (Pickett, Silver, & Brewer, 2002, p. 107).

Potential political implications of these group dynamics have been explored in some detail. For example, Castelli and Carraro tested ingroup responses to members performing different leadership functions: one sought to maximise benefit for the ingroup by selecting policies which would be of high utility to both ingroup and outgroup members. The other was determinedly decision-seeking, and briefed to select policies which would benefit the ingroup while specifically not benefiting any outgroup. Their findings clearly indicated that the distinctiveness-maximising leader was preferred. Managers who created many more jobs in total, but reserved a lower percentage of them for local people, would tend to be less well-liked than a manager who created far fewer new positions but dedicated the majority of them to locals alone (Castelli & Carraro, 2010, p. 889).

Abrams *et al.* (2005) distinguish between 'pro-norm' deviance and 'anti-norm' deviance within groups. 'Pro-norm' deviants – that is, individuals who are *literally* (denotatively) different but act pursuant to the same prescriptive norms as the majority of the in-group – can tend to be tolerated far beyond 'anti-norm' deviants: individuals who share the attributes of the in-group but are critical of established norms or open-minded to external norms.

In other words, group exclusion seems to be predicated more upon the *views* of individuals than on their appearance or the 'naturalness' of their belonging. This may suggest that

factionality may plausibly arise from the apparent or stated political stances of individuals in a deliberative setting. And, more significantly, these findings provide a basis for the concern that such a setting would also produce undesirable outcomes, with a views-based group tending to become *more* resistant to counter-arguments, rather than less, and *more* generally extreme in its perspective, instead of more consensus-oriented:

This may hold the key to group extremity shifts, groupthink, and polarization ... whereby a group's norms may become increasingly extreme under the influence of pro-norm deviants. As groups become more extreme, their "moderate" (i.e., anti-norm) members may lose the ear of the group, be vilified and either conform or be rejected. Thus, for all kinds of group decisions it may be that voices or reason – those who countenance the views of outgroups, for example, may be disregarded, coerced into conformity, and seen as vindicating the group's norm. ... [F]orcing groups together may result in a hardening of intergroup norm differences, and a resistance to change rather than integration and tolerance (Abrams, Randsley de Moura, Hutchison, & Viki, 2005, p. 182).

Many of the most interesting psychological effects of group membership are observed in the behaviours of individuals who are at greater risk of being alienated from a certain ingroup. In general, occupying such marginal positions within a group's structure seems to trigger more pro-ingroup behaviours, and a stronger tendency to vilify and isolate members who are peripheral, non-prototypical or external to the ingroup. For example, the more tenuous an individual's association with an ingroup, the more likely are they to think and speak negatively about the outgroup-proper (and, in turn, the more likely that the vilified members of the outgroup will cohere more closely to one another as well) (Jetten, Branscombe, Schmitt, & Spears, 2001; Branscombe, Ellemers, Spears, & Doosje, 1999; Noel, Wann, & Branscombe, 1995). Internally, they will also tend to direct greater criticism toward ingroup members who do not adhere very closely to ingroup norms (Schmitt & Branscombe, 2001). These tendencies may help to explain some of the other features of group dynamics, some of which pose a risk for counter-anonymous, public deliberation as a venue for democratic participation, such as polarisation. Similarly, there are also implications here for the *kinds* of engagement which might be plausible in such a public deliberative scenario. Membership of a certain 'faction' during deliberation may not be the relatively simple business of agreeing or disagreeing (or *seeming* to agree or disagree) with others on a certain perspective or issue. Individuals on the periphery of a certain group, either descriptively or in terms of the strength or nature of their agreement, may come under significant psychological pressure to reach greater states of conformity, or to alienate or otherwise reject those who appear to be even further from the core of a

given group's perspective. So it is not surprising that psychological researchers should find that

perceivers systematically provided more positive spontaneous evaluations toward ingroup members who favoured the ingroup ... rather than behaving in an egalitarian way. ... Overall, respondents verbally appreciated egalitarian behaviours and this was probably due to the greater social desirability of fairness norms as compared to discriminatory norms. However, responses on more subtle measures indicated that the favouritism toward the ingroup gave rise to the most positive evaluations (Castelli & Carraro, 2010, pp. 881-2)

These tendencies – toward the reinforcement of internal group norms, the desire to present oneself as prototypical so as to cohere with group peers, and the reactive strengthening of outgroups-as-ingroups upon the perception of prejudicial or exclusionary treatment – carry significant implication for the conduct of all public politics, and deliberative democracy in particular. So much of deliberative democratic theory can be understood as a structured attempt to escape the intuitively-understood power of such spontaneous group dynamics: the relevant question for deliberative democrats must necessarily be whether a political discussion forum can possibly exist without also importing, or even magnifying, these psychological tendencies.

The outcome that people appear to instinctively avoid in their engagement in cohesive group behaviours such as those set out above is that of *exclusion* or *ostracism*. The following section considers the effects of ostracism, and the possible impact of even the threat of ostracism on behaviour.

Ostracism: Risk and Effect

The complex relationships between individuals and groups – the extent to which individuals seem willing to adopt a group's interests over their own, to falsify or modify their behaviour in order to cohere with the norms and expectations of others, and thus to 'belong' – is often explained in terms of the psychological effects of ostracism. In his conclusion to the final chapter of his survey of the psychological implications of ostracism, *The Power of Silence*, Kipling D. Williams writes most explicitly about fear of ostracism and the potential psychological leverage of ostracism-avoidance:

Fear of rejection and exclusion has for years been assumed to explain the power of groups to influence individuals. In order to belong and be included, we conform, comply, obey, engage in groupthink, stereotype outgroups, and inhibit prosocial tendencies. If we persist in resisting the

group, we risk being excluded, ignored, and rejected; we risk being ostracised (Williams, 2001, p. 258).

In a situation where potentially contentious political questions come under direct discussion – as in, for example, a formal deliberative forum – one plausible psychological effect is ostracism, or the threat of the same. Individuals or minorities who find themselves in disagreement with a wider majority could find themselves to be isolated if they pursue their side of an argument – with implications both for their ability to argue well (that is, the quality of their ‘speech situation’, as Habermas might have it), and for their societal situation beyond the debating chamber.

Ostracism – the act of being severed from communication with others, and particularly with the other members of some group – has significant psychological ramifications for humans. Indeed, merely the perception of the threat of ostracism is itself often enough to trigger behaviour change in test subjects. The effects of ostracism is itself the subject of a number of studies, some of which also provide valuable insight into the lengths that people might go to in order to avoid situations which may result in their being ostracised from a group. For example, Williams describes the effects of one study involving psychology students who are asked to whistle-blow on a cheating colleague (who is, of course, a confederate of the designers of the experiment). Whistle-blowers were subsequently ostracised by the other test-takers, with effects indicating diminished self-esteem and many of the other hallmarks of clinical depression (Williams, 2001, p. 203). Just as interesting, however, is the fact that this study suggests the rarity of whistle-blowing when in a minority position.

The experiment involves a group of psychology students who have been offered extra credit for doing maths problems under time constraints. Three people take the test under each iteration of the study: two confederates, and only one participant or volunteer. They are given explicit instructions that they must not use anything to help them with the test.

One of the confederates, during the test, starts to make use of a concealed calculator (in full view of the participant) and completes the test with ease. After the exam, the administrator of the test gives a series of opportunities for the participant to ‘whistle-blow’ on the cheating confederate: first immediately after the test, and secondly when filling in a questionnaire afterwards, which includes a question explicitly asking if anyone was seen to cheat (p. 201). If the participant still does not whistle-blow, the experimenter asks a series of three questions asking specifically if anyone was seen to be cheating.

7% of participants whistle-blew immediately after the test, at the first opportunity to do so. 77% whistle-blew when filling in the questionnaire, another 12% in response to the first question, and a further 2% in response to the second and third questions respectively.

While only 2% of participants failed to whistle-blow altogether, it is interesting to note that the overwhelming majority of participants (93%) were unwilling to make a claim against a fellow participant *while in their presence*, underscoring the significance of anonymous or non-public circumstances for the behaviour of individuals who have reason to fear ostracism. The main part of whistle-blowing took place under the anonymous conditions of the written questionnaire, and 16% of whistle-blowers resisted speaking against their fellow test-takers until directly questioned, of whom 4% needed several direct questions.

It seems reasonable to draw a number of conclusions from this study. The fear of, or at least the willingness to avoid, ostracism and direct confrontation led to a very general unwillingness to whistle-blow while in the physical presence of the 'cheater'. This situation broadly reversed under circumstances which were private and anonymous in nature, during the follow-up questionnaire (though a significant minority of participants were unwilling to risk any social stigma even under these conditions).

There are obviously risks entailed when attempting to export such conclusions to political theory, but it nevertheless would seem uncontroversial – and quite intuitive – to argue that private, anonymised circumstances appear to be more conducive to truth-telling than the opposite, particularly in cases where the social standing of one or another of the parties involved is subject to question, or where the potential whistle-blower is seemingly unsupported by a majority of their peers. Deliberative democratic theory does not frame circumstances identical to those established by this study – in particular, one would not necessarily expect a deliberative process to involve competing truth claims regarding the conduct or law-abidingness of the participants themselves – but the freedom to frame potentially unpopular views under some circumstances is necessarily called into question by results such as these.

Ostracism, and the perceived threat of ostracism, may therefore be indicative of some of the kinds of strategies that are consciously or unconsciously employed by groups in order to regulate and normalise their constituent members. It is also a phenomenon which may explain the possible self-exclusion of some individuals from a public deliberative forum. The actual processes of preference-change, whether apparent or 'real', will potentially

have similar in-group regulation effects, but will also reach between values-oriented groups and dictate the terms of political agreement and consensus within a deliberative democracy.

Conclusion: The Need for a Psychology of Deliberation

The survey offered in the second half of this chapter can clearly only constitute the beginning of a productive sharing-of-evidence between the fields of social and political psychology and democratic and deliberative-democratic theory. It is primarily limited to an account of the implications of some of the most classic findings in a range of psychological subject areas – group behaviour, conformity, persuasion – as well as some notion of how the analysis of these findings has developed and been refined in more recent experimentation.

One clear trend that becomes clear from this collection of evidence is that, in many cases, the results of psychological experimentation could benefit from the close analysis of political theorists. While psychological experiments are often extraordinary achievements in research-design as problem-solving, and speak strongly of their architects as subtle thinkers, they also sometimes fall back upon overly simplistic causal explanations for the phenomena that they uncover. Many psychological analysts of conformity, for example, persist in believing that internalisation – *real* preference-change – is the product of exposure to new knowledge, while normative pressure will tend only to result in hollow compliance that does not reflect any fundamental shifts of opinion (Kelman, 1958). This may be a comforting interpretation of worrying examples of dangerous behaviour in the face of majoritarian or authoritarian influence (such as those uncovered by Zimbardo's infamous prison experiments (Zimbardo, 2007)), but it is also a charitable one.

Perhaps more urgent, however, is the need for advocates of popular deliberation to replace their folk psychology with some of these more plausible insights. As Rosenberg (2014) has argued, psychologists have already furnished us with evidence about the epistemic limitations that must be confronted by would-be deliberators, if only the theorists of deliberative democracy would take the time to look. This chapter has also argued that deliberative fora could prove to provide more fertile ground for various undesirable features of group behaviour and majority influence than liberal, aggregative democracy.

This is partly due to the fact that, by design or otherwise, the participatory anonymity of politics in liberal democracies provide a significant screen against many of the psychological effects described in this chapter. In, for example, contemporary British democracy, it is impossible to be wholly identified with a political belief or opinion unless one chooses to disclose this information publicly. This reduces the potential for outright discrimination or intimidation on the basis of political difference, which, as the originators of the secret ballot argued, is a crucial component of mass-participation electoral democracy, but also reduces the potential for group dynamics, rhetorical manipulation or self-exclusion from political processes. Anonymity (and voluntary position-taking) is not only more conducive to the psychological health (and likelihood of participation) of citizens, but could also ensure the maintenance and accommodation of cognitive diversity in a way that deliberative democracy cannot.

Conclusion: The Value of Certain Myths

To wish to stop democracy would then appear to be to struggle against God himself.

Tocqueville (2000, p. 7)

Knowledge and Inclusion

This thesis has sought to reorient the academic debate over democratic theory, offering a broadly sceptical approach to two theoretical justifications for trading-off the inclusivity of democratic institutions in exchange for epistemic benefits. At the same time, it has sought to offer grounds for the consequentialist endorsement of maximally inclusive liberal democracy, even if such inclusion comes at the cost of reduced depth of individual participation. To this end it has introduced insights garnered from a diversity of academic literatures that, while generally unfamiliar to these debates, have dramatic consequences for the core considerations of democratic theory. This final, concluding chapter will draw together the arguments put forth previously and set out a substantive defence of the argument for liberal, aggregative democracy.

Maximal inclusivity is desirable because it creates the conditions for what this thesis has referred to in terms of 'faith' in a 'democratic mythology', a broader 'folk theory of democracy', and an acceptance of a 'non-experimental consequentialist' theory of democratic efficacy. Put simply, most members of the public say they are satisfied with democracy when asked in opinion polls (Clarke, Sanders, Stewart, & Whiteley, 2004), even in the absence of meaningful evidence to underpin such satisfaction (Runciman, 2011, 2013)). This general unwillingness to accept alternative forms of social order as viable alternatives coincides with a general acceptance that voting is important and personal participation is ethically significant, and produces a psychological bias in favour of democracies from among the possible set of plausible social orders. This thesis suggests that there are few conclusive instrumental grounds to endorse democracy over alternative

social orders, but also that there is little evidence to suggest that alternative social orders will be productive of more desirable outcomes either. Given that democracies aren't provably inferior *or* superior to any other social order, perpetuation of the folk theory of democracy and something approaching an evidence-insensitive *faith* in the mythology of democracy is, at a minimum, morally neutral. If the stability that these tendencies produce creates the conditions for other, more specifically desirable social forces (along similar lines as Jon Elster (1993) has argued), then the consequentialist case for democracy becomes clear.

These desirable yet unintended consequences of democracies are contingent not upon the epistemic virtues of democratic citizens, but upon their unproblematic acceptance of democratic norms and the set of benefits that they believe to be derivable from participation. This 'folk theory' stands in contrast to much of the actual evidence, which suggests that the epistemic 'quality' of participation may have little to do with the eventual desirability of democratic outcomes. In fact, the real benefits of democracy may be undermined by attempts to 'improve' the input of participating citizens.

There are two fundamental ways to improve the epistemic value of democratic participation. The first is to seek to educate or otherwise improve citizens' preferences through information-pooling and exchange via other-regarding and reciprocal deliberation or some other means. However, such an approach has practical and ethical limitations. Practically speaking, the fact that most citizens are 'rationally ignorant' – ignorant because no meaningful incentives exist to make the development of any degree of expertise worthwhile – would suggest that even the easy availability of useful social and political information will not make much difference to citizens' knowledge levels. Ethically speaking, serious questions over the potential for bias and propaganda are raised by the possibility of centrally-mandated education programmes.

The alternative approach to improve citizens' epistemic performance is simply to be more selective about which of them may participate directly to decision-making. This is already effectively practiced in contemporary democracies through the exclusion of, for example, children and incarcerated prisoners from the voting franchise. More radically, some theorists would prefer to attach greater weight to the participation of experts, or those

who stand to be most significantly affected by a certain decision (and are thus more incentivised to vote wisely).⁷³

Though public deliberative democracy is generally conceived of as a way to realise the first set of approaches, of fostering a participatory culture that encourages better standards of knowledge and thus stronger democratic outcomes and enhanced legitimacy, this thesis has argued that, in fact, public deliberation will have an effect more in common with the second set of exclusionary approaches to the realisation of an epistemically enhanced public. An effective deliberative forum would necessarily be public, and non-anonymous: circumstances that invite a host of undesirable psychological side-effects, most of which will undermine the epistemic value of such participation, and generally preclude the possibility of constructive cognitive diversity.

In general, then, the efforts to ‘improve’ democratic citizens are, this thesis suggests, somewhat misguided. At best, they will prove to be ineffective. At worst, they will result in the deliberate or accidental exclusion of many citizens from democratic participation, either through the falsification of preferences or outright self-exclusion from deliberative venues where unpopular perspectives are unlikely to be respected. Perhaps more important, however, is the idea that there may not be a meaningful baseline of ‘good’ public knowledge or expertise against which to compare, and find lacking, the knowledge and reasoning of ordinary citizens. For some moral questions, there may be no discernable ‘truth’ to find and disseminate. For many technical questions, controversies and subjective interpretations still hold importance. Necessarily, any approach to the improvement of democratic participants’ epistemic qualities will be in some sense *partial* or normative. And in so far as these approaches entail the exclusion of some would-be participants, they may also serve to undermine those desirable consequences of democracy that are *not* contingent on any specific epistemic expectation.

Three Central Claims

The beginning of this thesis included an attempt to draw out the three important claims that are at the core of an epistemologically fallibilist theory of democracy. As a reminder:

⁷³ It could be argued that the electoral model of democracy *itself*, by relegating popular input to the occasional formal election, already prioritises the influence of political and administrative professionals, ‘experts’ and bureaucrats. Such a line of reasoning undermines the ‘Platonist’ arguments against the inclusion of the ignorant and/or irrational discussed in Chapter Three, and perhaps invites democratic theorists to re-assess their definition of democracy altogether.

- a. Requiring better participation involves having fewer participants.
- b. Better participation probably does not mean more desirable outcomes overall.
- c. Breadth of participation is more desirable than depth.

Having presented a multi-part analysis in the intervening chapters, it may be worthwhile to look again at these claims at a more specific granular level. What sub-claims and premises are constitutive to, or necessary for, each of the three statements set out above?

a. Requiring better participation involves having fewer participants

'Better voters' would be produced by an increase in either or both the epistemic quality and motivations of voters, the presupposition being that voters' motivations, knowledge and capacity for reason are not optimal at present. Educational and knowledge-pooling solutions will not necessarily be effective: after all, it is difficult to define what a public's minimum standards should be with regards to moral knowledge, and public education could become a coercive or ethically questionable procedure for the promulgation of normative perspectives (arguments touched upon in Chapters One and Three).

This only really leaves the possibility of discouraging or explicitly excluding the participation of those who are less epistemically capable, less reasonable, or seem to have unwholesome motivations. Chapter Three describes the position of some theorists who would explicitly prefer the disenfranchisement of some citizens on these grounds, or those whose theories of participatory ethics amounts to an endorsement of disenfranchisement in all but a literal sense. Chapter Six has set out some of the evidence from psychological research that suggests that, while deliberative democracy may usually be motivated by the objectives of educative and participatory reason-giving for whole publics (as discussed in Chapter Two), it risks producing results that fall into the category of exclusionism. The foundational and problematic concept of 'public reason' contributes significantly to the exclusionary potential for deliberative democracy (Chapter Four).

b. Better participation probably does not mean more desirable outcomes overall

Chapter Three offered an engagement with this claim, as did the discussion of instrumentalist and consequentialist justifications of democracy in Chapter One, and the treatment of Arrow's Impossibility Theorem in Chapter Five. This claim may be broken down into a number of sub-claims. First, it seems reasonable to suggest that there is some disagreement and confusion over the question of what would constitute a desirable

democratic outcome, as shown by the range of instrumentalist accounts in Chapter One (which also suggested that several lines of justification do not require an especially epistemically capable citizenry in order to be realised). Second, the actual influence of individual democratic participants is so tiny in contemporary democracies that the 'quality' of their participation, even in the aggregate, is unlikely to have ethical significance, as argued in Chapter Three. Finally, the potential for meaningless or arbitrary democratic outcomes (Chapter Five) significantly damages the idea that improving participants will place democracies on the high road to a better performance in terms of policies, decisions, or any other measure.

c. Breadth of participation is more desirable than depth

From the negative arguments above – which generally argue against participatory *depth* as an acceptable trade-off with *breadth* – this thesis also asserts that a maximally inclusive franchise of participation, even if that participation is no more involved than simple voting, is consequentially valuable, allowing its endorsement over deliberation, epistocracy, or what Dahl called Guardianship. Chapter One suggested that the unintended yet desirable consequence of democracy is a kind of non-experimental, stable political settlement. In the Introduction, the value of this settlement was described in terms of religious faith: not sensitive to the evidence that suggests that but few of the elements of the democratic mythos are real, rather than imagined, but nevertheless productive of an incontestability that is consequentially desirable. In Chapter Three, the 'folk theory of democracy' was another approach to this general idea. Although this folk theory has the potential to be self-defeating (in that it views votes as ethically significant and so encourages the attainment of political expertise which could be intrinsically damaging to a citizen's faith in the democratic mythos), it nevertheless describes the general public position: endorsing the broad yet shallow distribution of political influence through a voting franchise.

To reject inclusivity in favour of deliberative, participatory or epistemic virtue is thus to run the risk of trading the incontestability of contemporary liberal democracy for a far more contestable form of social order, and one which may not benefit greatly from the 'improved' wisdom of its participants – and it is this simple claim that this thesis has sought to make persuasive.

For some scholars and social commentators, of course, the very idea that contemporary, liberal, aggregative democracies enjoy the unproblematic support of their citizens is absurd. The narrative of an ongoing 'crisis' in liberal democracy could serve to disrupt and

undermine the consequentialist case that I have outlined above. The next section will consider the nature of democratic crisis, and whether the view presented by this project – that a naïve yet productive ‘folk theory’ of, and faith in, democratic institutions is itself those institution’s greatest virtue – is itself naïve to the point of untenability.

Crisis? What Crisis?

This thesis has argued that there are three distinct ways of thinking about democracy, modelled on varying epistemic presuppositions. Rousseauians believe in the possibility of designed social orders and in collective rationality, so that a public is able to both understand its own requirements, predict the best solutions to them, and administrate such solutions. Platonists accept that ‘best’ courses of action are possible and that real interests exist and may be tracked by careful institutional design. But they doubt that such knowledge is accessible to an entire public, and prefer government by ‘knowers’: they do not accept the concept of collective rationality. Hayekians doubt the capacity of any individual to understand the real interests of a wider society (though there may be some hope that they are able to understand their own immediate and contextually contingent interests). Indeed, a Hayekian may question the existence of ‘real’ interests altogether: interests, rather than being ‘real’ or objective, are subjective and temporal. Neither experts nor entire collectives are likely to be reliable predictors of a society’s needs, and even a successful prediction along these lines does not make the pursuit of such ends a simple matter. The unintended consequences of political action may deal more damage to the delicate, emergent balance of the social order than can be compensated for by the fulfilment of a centrally described objective.

For the most part, this thesis has been concerned with an analysis of the first, Rousseauian position, which underpins contemporary theories of deliberative democracy as well as a generalised ‘mythology’ of democratic efficacy, value, and survivability, expressed here as a ‘folk theory’ of democracy. Importantly, this project has set out to argue that this set of epistemic assumptions is capable of being both dangerous and highly stabilising to a social order. It is dangerous when it seems to imply that we have good grounds to expect a great deal more from democratic participants than we currently observe, and sets about providing mechanisms for the ‘improvement’ of the public. It is stabilising when it informs a generalised faith in the efficacy and desirability of democracy that is not evidence-sensitive. If it *were* evidence-sensitive, then the faith in democracy could subside, and the

stability of this form of government – the meta-agreement over it – would cease to provide consequentialist grounds for democracy’s justification.

In these pages, democracy’s ‘mythological’ qualities – its capacity to inspire public faith without evidence – has been praised in warm terms (such as those in the preceding paragraph). In general, however, theorists and philosophers of democracy have argued that the democratic trait of earning consent and endorsement in the absence of an evidentially strong basis for doing so is deeply problematic. David Runciman, for example, writes of democracy’s “confidence trap”, which, despite more than a century of “contingency and confusion”, leaves citizens believing that democracies are productive of desirable outcomes (Runciman, 2013). Runciman offers an understanding of democracy as stumbling blindly through – and surviving – successive crises, effectively by accident. The fact of this survival leads to its general endorsement as a robust and efficacious form of government, even in the absence of any complete understanding of how democracy has proven resistant to crises of legitimacy, finance, war and natural disaster (Runciman, 2011, p. 537). This perspective, which Runciman traces back to De Toqueville’s analysis of the early days of American democracy, makes the case for this form of social order not as an “incoherent form of politics but ... [as] an essentially inadvertent one, based as much on faith as on reason. It succeeded despite the appearance it gave of not knowing what it was doing. That is why the inhabitants of a democracy are liable to assume that things will turn out for the best in the end: because they normally do, regardless of how bad things look at present” (*Ibid.*, p. 540).

Importantly, Runciman distinguishes between confidence *tricks* and confidence *traps*. If democracy were a confidence trick, it would be a kind of conspiracy, or at least a case of outright self-delusion on the public’s part. It would entail the systematic ‘defrauding’ of a consenting public that is given grounds to expect certain desirable outcomes. If democracy were a confidence trap, meanwhile, then the package of desirable outcomes associated with democracy would *appear* to be true, and come to fruition, with the potential downside being that at some point democracies will face a challenge of such immensity that their subsequent collapse would cause inestimable damage to the societies that they govern.

Runciman points out that the challenge posed by climate change could very well constitute such a crisis for democracy (*Ibid.*, p. 544). As a preliminary response, it is not altogether clear that democracy will be especially vulnerable to massive, unpredictable crises such as catastrophic climate change, even if it has gained the unevidenced support of the public in

a way that most other social orders cannot. No form of social order has a track-record for coping with and effectively responding to an out-of-context problem as significant as climate change: by their very nature, such challenges cannot be predicted and cannot be pre-emptively learned about in such a way as to more effectively confront them (Taleb, 2008).

More generally, this thesis can be read as an answer to Runciman's analysis of democracy because it argues that the paradox that Runciman has pointed out is *itself* the basis for democracy's seeming robustness and survivability, and thus offers grounds for its endorsement above alternative social orders. As a system of popular consent, a democracy can survive any crisis to the extent that a certain proportion of its citizenry still perceives a basis for consent. Democracy survives not because it has preferable solutions to the crises that confront it, but because the basis of its existence is unlikely to be threatened by even very damaging crises. Its mythology is so strong that the failures of democracy in the face of some crisis are most likely to be greeted with calls for *more democracy*. This means that, though democracy cannot be said to be instrumentally valuable in the ways that many of its supporters claim, it is also neither a confidence trick nor a confidence trap. Rather, this thesis suggests that confidence in democracy, however misplaced such confidence may seem from an objective standpoint, is itself the strongest basis for democracy's justification. Where Runciman perceives the risk of blindly endorsing a form of social order on the basis of its mythos rather than its actual performance, this project suggests that democracy would not be especially vulnerable to the unanticipated problems that would spring Runciman's 'trap', and that the folk-theory of democracy is in general a desirable, stabilising side-effect of human interaction and human epistemology, not a key ingredient in a ticking time-bomb.

As mentioned in the previous section, the standpoint of many contemporary democratic commentators and theorists is that liberal democracy is already in the midst of a crisis of confidence. Where this project (and Runciman's) is concerned with asking what gives rise to confidence in democracy in the face of some of its more obvious limitations as a form of social order, many others are concerned to ask why this confidence appears to be in decline, and what such a decline could mean. If a crisis of legitimacy is underway, it arguably undermines every part of the positive argumentation within this thesis. If this thesis is accurate, and public faith in democratic institutions itself offers them their primary source of value, then the decline and problematisation of this faith may be cause for real concern. It is worth reflecting, therefore, on the possibility that the unproblematic endorsement of democracy employed here as a basis of its consequentialist justification is

being eroded by the kind of ‘anti-politics’ trends that are described in many parts of the literature (Dalton, 2004; Hay, 2007; Castells, 2010; Zakaria, 2013).

This analytical gap within democratic theory – between those who are surprised by the extent of popular confidence in democracy and those who are unnerved by and moved to analyse the apparent decline in such confidence – is worthy of detailed exploration, and would form an excellent basis for future scholarship in this area. At this point, however, this thesis offers two, possibly overlapping, bases for explaining such a difference in opinion. First, the ‘crisis of democracy’ literature may be misinterpreting changes in participatory and voting behaviours for substantive decline in perceived legitimacy. It is clear that the idea of democratic crises is a very old one: Schumpeter, for example, was convinced during the cold war that democracy was not a form of social order that could be highly competitive in the face of communism and command economies (Schumpeter, 1943 [1965]). In historical context, therefore, the current wave of concern as to the state of democratic legitimacy seems to be an extension of well-documented concerns, rather than anything very new (O'Donnell, 2007). The specific phenomena that contribute to a sense of crisis may also benefit from a wider perspective of analysis. Increased voter apathy, for example, could just as easily be produced by high levels of satisfaction with democracy as by citizens’ alienation from the democratic process, implying that increasing levels of *reported* dissatisfaction are not telling the entire story in this era of historically high living standards.

More pertinently for the lines of argument offered in this thesis, it is possible that the concept of democratic crisis can be incorporated into the account of the folk theory of democracy set out in these pages. The general belief that democracy is being confronted by fresh crises may give rise to a redoubled endorsement of democratic institutionalism and the ‘common sense’ of public participation. Tellingly, the current apparent legitimacy crisis has seldom given rise to any call for the adoption of some other *less democratic* form of social order (Rosenfeld, 2011). This appears to meet some of the expectations set up by the ‘folk theory’ set out in Chapter Three of this thesis, or indeed with Runciman’s democratic confidence thesis: since human reason is thought to be equal to dealing with all challenges, and whole publics capable of collectively offering coherent responses to policy questions (and since, however complex they seem, such questions are always resolvable by recourse to some self-evident and fair principle), the solution to democracy’s problems will always be thought to be *more democracy*. The fact that the decline of traditional forms of participation is viewed by so many theorists as a crisis is, from this perspective, indicative of the dominance of the folk theory. In fact, declines in democratic

participation should only be viewed as problematic if we also view participation as itself productive of desirable outcomes.

What Should Democracy Look Like?

This thesis has suggested that certain spontaneous consequences of democracy offer the strongest grounds for its justification. This places the democratic theorist into a paradoxical position, simultaneously acknowledging the lack of evidence for an instrumental endorsement of democracy, while also accepting that the mythologies and folk theories that exist around the presuppositions of democracy's intrinsic and instrumental value themselves create the conditions for social stability and non-experimentalism.

However, this account has only glancingly indicated any of the particularities or descriptive features of the democratic system that would best foster, and do least to betray, the mythologisation and confidence of its citizenry. This thesis has argued, for example, that, ideally, democracies should aim to be maximally inclusive so as to visibly fulfil the expectations of the 'folk theory of democracy', which involves the presupposition of the possibility of 'common sense' and collective rationality, and thereby create the conditions for productive social biases in favour of democracy above alternative forms of social order. Chapter Three also argued that the benefits of wide participation outweigh the possible pitfalls because under no circumstances can the ignorance of any individual participant have significant ethical implications for the lives of another citizen. The size and complexity of liberal democracies precludes such a possibility, but perhaps institutional design can be oriented toward the inclusion, and not necessarily the maximisation of influence, of individual citizens.

By implication, then, it seems that democracy ought to be founded upon a conception of minimal political equality. Access to democratic participation should be broad, but the extent of each individual's capacity to influence outcomes via their participation should be limited in scope. This is essentially a description of the emergent form of participation that can be seen in any contemporary liberal democracy.

Why Not Markets?

One potentially problematic aspect of this thesis' 'mythology' argument is that, in its dependence on a naïve folk theory of democracy, the increased expertise of a citizenry will

arguably lead to a reduction in support for democracy and a destabilisation of democratic forms of government. Like the Austrian view of capitalism, democracy as it has been described in these pages makes a virtue of a significant collective knowledge-problem, spontaneously ordering the inputs of epistemically limited participants into outcomes which, if not necessarily always instrumentally preferable to the efforts of a central planner, will at least prove to be stable. In the Hayekian conception of markets, it is argued that individuals are able to automatically distil enough information from the prices of commodities as to make rational decisions even in the face of the incredible complexity of factors that contributed to that final price. To understand whether or not to make a purchase, an individual doesn't need to understand on any sophisticated level the reasons that prices are where they stand, and in making a purchase (or choosing not to), they contribute slightly to the balance of supply and demand that decides that price.

The epistemic features and knowledge levels that an individual needs to productively engage with a market are therefore very basic in comparison to those that are commonly argued to be important to democratic participants, particularly if said participants are expected to engage in *public reason* about their political opinions. We do not expect individuals who engage in markets to justify their purchasing decisions to anyone except themselves, and we do not expect them to offer a dissertation on their assessment of what constitutes a 'good' or 'bad' price, either. This thesis argues not that democracies should have some or all of their remit reassigned to markets (as, for example, Bryan Caplan (2008) does), but rather that democracies would be best served by placing epistemic demands on would-be participants that are not significantly greater than those intrinsically required of individuals who want to go shopping.

Markets, with their 'marvellous' capacity for spontaneously ordering efficient outcomes in the face of the inescapable epistemic limitations of individuals, have a crucially important place in contemporary social orders (Pennington, 2011, p. 59). They are not, however, replacements for democracy. Markets are not in themselves generative of social order, since there is no version of a price system that will adequately address complex moral or ethical questions in a pluralised society, but they do depend on a minimal degree of social order in order to function properly. Unlike markets, democracies extend the temporal range of political action, and allow political actors to work toward non-immediate goals (Madison, 1998, p. 115). Markets are to some extent dependent upon political and social stability, and in so far as democracies are productive of such stability (through the effects of the 'mythology' described in this thesis), markets are also to some extent dependent on democracies. Democracies provide a sound footing of procedural meta-agreement in the

face of the moral disagreements that would quickly destabilise alternative forms of social order.

Without the epistemic burdens imposed by the requirements of public reason, and thanks to the anonymity of formal engagements with representative democracy – the anonymity, that is, of voting – conventional aggregative democracy at least guarantees minorities recourse to votes without the need for moral justification. It also offers a tolerant sphere where deliberative activities are completely voluntary, ensuring there is no systematic basis by which holders of more popular preferences may compel such minorities or non-public reasoners to self-exclude, 'launder' or falsify their preferences.

There are some genuine efforts to reconcile market mechanisms with questions of rights and values that are usually reserved for democracy. Could market-like decision mechanisms also offer an alternative response to the issues of public reason raised throughout this thesis, harnessing something like the price-system to allow the satisfaction of our preferences in the face of disagreement in the public sphere?

Where this thesis leans toward a response to knowledge problems that is policy-conservative (in so far as it recommends the maintenance of existing forms of aggregative democracy), Ryan Muldoon emphasises a response that underscores a bargaining-based system of achieving mutual benefit between actors in the public sphere. "[R]easoning 'as citizen'," he writes, "is not neutral, but instead is privileging a certain conception of values that may not be universally held, particularly as societies become more diverse" (Muldoon, 2010, p. 10). Since rights are "firmly a social conception, as opposed to a metaphysical one" (p. 23), if we are not to privilege a single values system, Muldoon argues that bargaining can become the basis for settlements, or at least mutually beneficial outcomes, between individuals with no basis for substantive agreement. Individuals are willing to commit to trade-offs in order, minimally, to improve their own positions during the bargaining.

The idea of rights trade-offs has significant appeal. Contractualist theorists often view the arrangements of the state to be the product of a trade-off on the part of a public – that is, they are trading free use of force and various other freedoms in return for increased stability and personal security. And Muldoon could arguably put forward an 'already extant' account of his theory, describing the way that societies operate now as demonstrative of the 'bargaining' process. An immigrant group may surrender a significant set of values in return for the various values that they derive from membership in a given state. An anti-abortionist may be compelled to accept the legality of abortion if it

is associated, in their mind, with other freedoms or capabilities which they do find valuable (for example, freedom of worship).

Yet to come to a conceptualisation of rights or values where one is willing to allow a kind of *modus vivendi*, where we are not actively pursuing absolute goals or paternalistic influences, is to rule out certain comprehensive doctrines, just as Rawls does. To accept the "constraint that others have to agree to the bargain as well" is essentially to accept that your own values cannot 'trump' theirs (p. 27). In practise it seems that such a system would necessarily produce a large number of failed bargains, yet perhaps such failures would themselves be procedurally valuable.

It is also easy to predict another kind of objection: that those who find themselves 'rights-rich' in society will hold a bargaining advantage over minorities with fewer rights. It would seem that the economic law of comparative advantage might apply here, allowing all parties to benefit from trade-offs, but a generalised understanding of the existence of the law of comparative advantage has not stymied the critics of free international trade either.

Muldoon points out that individuals are not bargaining with complete conceptual constructions, but with the top-layer outputs of their preference arrangements - not with the complex conceptual equation itself, but with whatever follows the 'equals sign'. This is more responsive to empirical evidence of political ignorance, and more representative of true political choices, which are usually boiled-down abstractions derived from potentially exceedingly complex and manifold contributing considerations. Democratic norms facilitate such abstraction: we are not asked to express our complete preferences *per se*, but to reach a conclusion that leads to support for a given previously-settled option. But is this really bargaining?

It is not clear that rights, and the values we attach to them, are always commensurable with each other; if incommensurable, how might they be bargained with? There needs to be a 'currency', a way of comparing the value that right *a* offers to Calvin and that right *b* represents to Susie. The price system responds elegantly to different evaluations of the worth of different commodities in a market, but as Muldoon accepts, political rights are a more emotionally charged subject. Could such relationships between individualised responses to political rights be discoverable (that is, can individuals plausibly rank or evaluate their own rights-preferences?), stable (are these evaluations not subject to change, and if so, are the changes themselves trackable?), or necessarily communicable? Social and customary pressures figure into our calculation of the value of a given right in unpredictable ways; the cost of doing 'business' in this way would likely be far too high.

How can one possibly compare the value that Calvin attaches to a right to bear arms to the value that Susie attaches to the right to free speech?

Most individuals, in the end, will be quite ignorant of possible range of rights that they might value, and why; they may even, in the end, fail to value any rights at all. Social institutions, if they are to be robust, should be robust in the face of these outcomes as well. Adding to this the potential indistinguishableness of a truly irrational vote from an irrational-seeming (but legitimate) vote, and we are compelled to conclude that it behoves democracies to operate around combination and aggregation mechanisms that treat all expressed preferences equally.

A Place for Deliberation?

It has also been argued in this thesis that an ideal democracy would avoid deliberative mechanisms, particularly of the formal and public sort (as opposed to informal and public, or formal and reserved for representatives and legislators). It is worth asking whether the critique of deliberation offered in various chapters of this thesis precludes the inclusion of deliberative procedures at any level: can there be a role for deliberation in liberal democracy?

Informal public deliberation is the handmaiden of democracy. To the extent that all democratic participants are necessarily immersed in a public sphere which, to differing extents, will involve the sharing of information, the giving and receiving of reasons, and the shaping of preferences, one might even say that all democracy is deliberative. This thesis is not, indeed cannot be, an argument against what it refers to at the end of Chapter Two as ‘emergent, popular deliberation’. The fact that deliberative preference-formation – though certainly not the ideal, structured and epistemically demanding kind that is preferred by most theorists of deliberative democracy – is a spontaneously-occurring feature of all contemporary democracies offers grounds from which to reject the commonplace dismissal of “raw” preference-aggregation as an inferior epistemic product to any process involving preferences that have been ‘refined’ by deliberation (Fishkin, 2005, p. 72). A reasonably pragmatic definition of deliberation cannot limit itself to the kinds of interactions that can only occur in the presence of a moderator, or after significant amounts of training for those who would participate. It should also not presume, as this thesis has argued at length, that the benefits of formal deliberation will automatically outweigh its probable costs.

It is imaginable that the wholly spontaneous democratic practice of deliberation can be 'improved' in a way that is unstructured enough to have no effect on inclusivity. Some fundamental issues – such as very often there being no 'moral truths' to share with citizens, or the possible ethical issues associated with a centralised information agency – are very difficult to avoid altogether. But, again, like informal public deliberation itself, efforts to facilitate and 'raise the level' of discourse within what Estlund has called the 'informal political public sphere' are already a normal part of contemporary democracies (Estlund, 2006, p. 79). The existence of public service media, for example, may be generally ignored, and may be anathematic to those with suspicions as to the motivations and biases of centralised information-propagating institutions (sometimes with good reason (Somin, 2013, pp. 173-175)), but nevertheless fulfils a potentially deliberation-enhancing role – one that, crucially, is highly unlikely to lead a would-be participant to self-exclude from the political process.

The psychological implications of deliberative procedures arguably pose different risks in different democratic settings. In the public sphere, formal deliberation runs the risk of a host of undesirable psychological effects associated with the loss of anonymity. In a representative, legislative setting, however, the intuitive and practical case for political anonymity is strongly weakened. In many western democracies, the committee-scale deliberations of officials and elected representatives are now more publicly accessible and available for scrutiny than at any previous point.⁷⁴ Most discussions that take place within legislative chambers, meanwhile, have long been a matter of public record. As Lever (2011) has argued, there are fundamentally different expectations attached to the political privacy of ordinary citizens on the one hand, and their elected representatives on the other – and, as a result, it is more normal to tolerate the psychological effects of formalised deliberation as an ordinary part of representative politics. Many of the implications for minority viewpoints are still important at the level of representatives, but in some sense these concerns are an accepted part of the norms of democratic politics.⁷⁵

Part of the reason that legislative deliberation is less likely to produce undesirable outcomes is that it is seldom associated with any explicit concept of public reason. Representatives and legislators are tasked simply with representing the interests or views

⁷⁴ It is worth noting that in many cases, officials and politicians are permitted to deny freedom of information requests on the basis of a 'public interest exclusion clause', which may be brought to bear whenever there are reasonable grounds to suspect that the public interest would be better served by secrecy than by disclosure.

⁷⁵ We may even view the organised groupings of official political parties as a systematisation of the in-group effects observed in psychological studies.

of their constituents, creating a basis of presumed reasonableness that allows the legitimate articulation of many reasons that would not be recognised by deliberative theorists as 'reasons that all can accept'. Indeed, as argued in Chapter Four, the problematic concept of public reason is itself the basis for a range of epistemic requirements that eventually create the basis for an exclusive politics. Would formal public deliberation be more acceptable as a preliminary to an aggregative procedure if it were unattached to any systematic notion of public reason?

There seem to be three remaining objections to public deliberative democracy even in the absence of requirements for formal public reasons: first, it seems unlikely that many theorists of deliberation would ascribe much value to a deliberative procedure that did not in any way require the giving and receiving of public reasons. Second, it is possible that a formal deliberative process could facilitate information-exchange to a sufficient extent as to undermine the folk theory of democracy, and thus the productive general sense of confidence in democratic fairness – revealing, for example, the depth of citizens' mutual ignorance to one another. Third, many of the psychological side-effects associated with anonymity loss would persist even in the absence of the epistemic requirements of public reason: participants could still be lastingly moved to adapt their preferences and conform with others as the result of something other than the strength of a better argument.

There is an extent to which deliberation is intrinsic to democracy on the spontaneous and legislative levels. To intervene to reduce deliberative activity would be more coercive and more damaging than the simple maintenance of such emergent democratic norms. Formalised public deliberation, even in the absence of a systematic commitment to some notion of public reason, is arguably productive of more undesirable effects than positive outcomes, particularly given the paradoxical strengthening effect of public ignorance on public confidence in democracy.

Defending Democracy from Democrats

The paradoxical justification of democracy offered in these pages – one that recognises and harnesses a naïve folk-theory of democracy and its capacity to make democracy seem non-negotiable – is subject to another, overlapping paradox. The same assumptions that underpin the folk theory have also been shown here to form the basis for the radical theoretical positions that could do the most damage to public confidence in democracy: faith in common sense, a commitment to deliberation that is underpinned by a 'general

will' that is able to track definitive truths, and a belief in the ethical significance of voting that seems to suggest reasonable grounds for the narrowing of the franchise. As suggested in the introduction to this thesis, a religion or mythology may be troubled not only by the spread of heretical non-conformism and the threat of the external 'Other', but also by the zeal of its greatest adherents. By attempting to epistemically 'improve' the public, democratic radicalism runs the risk of revealing the tenuousness of the democratic virtues that are currently assumed to be matter-of-fact. By leaning toward mechanisms that intentionally or unintentionally exclude some would-be participants on epistemic grounds, democratic radicalism runs the risk of dispelling the beneficial illusion of collective rationality that seems to make democratic norms unquestionable.

If this thesis is correct in its analysis and justification of democracy, then it too could be viewed as part of the 'problem'. In so far as it attempts to set out, in a matter-of-fact way, the limitations of most attempts to justify democracy and the plausibility of arbitrary and unresponsive outcomes from democratic processes, this thesis also contributes to a literature which, if read and accepted by most democratic citizens, would badly damage democracy's ability to appear competitive in comparison to alternative forms of social order.

Before this line of reasoning triggers accusations that this project is in some sense 'anti-philosophical', it is at least clear to its author that the objective of this thesis – of finding consequentialist justifications for the extant norms of democratic institutions *despite* the fragility of most commonly-cited democratic virtues – is intended to discourage implied or deliberate opposition to the universal franchise and introduce alternative approaches and unusual literatures to the crucial and ongoing debates of democratic theory.

This project has espoused, and attempted in its sixth chapter to offer the beginnings of, a realistic psychology of deliberative democracy, while also explaining and criticising the progression of deliberative democratic theory from consensus-seeking, to embodiment of public reason, and thence to attempts to reinforce the meaningfulness of aggregative democracy through meta-agreement and the restructuring of preferences. It has presented the case of 'Platonist' arguments against the universal franchise on the basis of public ignorance, and rebutted such arguments on the basis that democracy cannot be both so meaningless as to disincentivise knowledgeable and rational participation *and* threatened by such participation at the same time. Just as importantly, this project has offered a consequentialist justification for liberal democracy that accepts the value of unintended

consequences and is not at all contingent on the efficacy of voting or the desirability of particular democratic outcomes, but rather upon the widespread *perception* of the same.

This argument for democracy is robust in the face of differing contexts and social norms, and helps to explain the ongoing popularity of democracy today. It can only be compromised by well-intentioned attempts to safeguard and augment the meaning of democratic politics by enhancing the epistemic qualities of democratic participants. In fact, as has been argued in these pages, such efforts are unnecessary. We needn't endorse democracy wholesale in order to find value in it – only its mythology.

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